#### LOUISIANA WILDLIFE AND FISHERIES COMMISSION

#### MEETING MINUTES

October 5, 2017

Chad J. Courville Chairman

Baton Rouge, Louisiana

Ched the

The following constitute minutes of the Commission Meeting and are not verbatim transcripts of the proceedings.

Audio files of the meetings are kept at the

Louisiana Department of Wildlife and Fisheries

2000 Quail Drive

Baton Rouge, Louisiana 70808

For more information, call (225) 765-2806

#### AGENDA

#### Louisiana Wildlife and Fisheries Commission Baton Rouge, Louisiana

#### October 5, 2017 - 9:30 AM

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Roll Call
- 4. Adoption of September 7, 2017 Commission Meeting Minutes
- 5. Commission Special Announcements / Personal Privilege
- 6. Enforcement Report, September 2017 Captain Edward Skena
- Receive One Health presentation Dr. Rusty Berry, DVM, Wildlife Veterinarian
- 8. Receive public outreach update for the Cervid Carcass Import Regulation - Johnathan Bordelon, Deer Program Manager
- 9. Presentation of proposed Sterlet Aquaculture Facility Liz Knecht, Ledet's Louisiana Seafood
- 10. Receive public comment on the NOI to add Sterlet Sturgeon as a Domesticated Aquatic Organism and Consider Proceeding with Final Rulemaking Rob Bourgeois, Fisheries Biologist
- 11. Receive and consider a Notice of Intent to modify Blue Crab Harvest Regulations - Peyton Cagle, Fisheries Biologist
- 12. Receive and consider a Notice of Intent on the 2018
  Derelict Crab Trap Removal Program Peyton Cagle,
  Fisheries Biologist
- 13. Receive and consider a presentation on the 2017 recreational season for Red Snapper in state and Federal Waters and Consider a Declaration of Emergency to re-open state water recreational Red Snapper season Jason Adriance, Fisheries Biologist
- 14. Set February 2018 Commission Meeting Date

- 15. Receive Public Comments
- 16. Adjournment

#### MINUTES OF THE MEETING

OF

#### LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, October 5, 2017

The regular meeting of the Louisiana Wildlife and Fisheries Commission was Called to Order at 9:30 AM on October 5, 2017, in Baton Rouge, Louisiana at the Louisiana Department of Wildlife and Fisheries Headquarters Building in the Louisiana Room by Chairman Chad J. Courville.

Commissioner Yakupzack led the Pledge of Allegiance and then Chairman Courville asked everyone to remain standing for a moment of silence remembering the hurricane victims, shooting victims and the Department staff.

Chairman Courville asked for the Roll Call. The following Commissioners were present:

Chad Courville
Bill Hogan
Bart Yakupzack
Bobby Samanie
Jerri Smitko
Al Sunseri

Commissioner Pat Manuel was absent from the meeting.

Secretary Jack Montoucet was also present.

Chairman Courville called for Adoption of September 7, 2017 Commission Meeting Minutes. Commissioner Samanie made a motion to adopt the September 7, 2017 minutes and was seconded by Commissioner Hogan. The motion passed with no opposition.

For Commission Special Announcements/Personal Privilege, Secretary Montoucet introduced the new Enforcement Colonel replacing now retired Colonel Broussard, Colonel Sammy Martin. He then welcomed him to the Executive Staff and looked forward to working with him. Then, Secretary Montoucet announced the Governor would be attending the next meeting. Commissioner Sunseri added he spoke to Commissioner Manuel and he hoped to be at the next 2 Commission meetings. Then he commented that Commissioner Manuel sounded great and was doing well in his healing process. Commissioner Sunseri stated he missed Commissioner Manuel's attendance and his personality at these meetings.

Commissioner Yakupzack recognized Dr. Luke Laborde who was attending the meeting with some of his students and felt it was refreshing to see the next generation of conservationists interested in how the state forms its natural resources policies. Dr. Laborde stated his students were the sophomore class within the School of Renewable Natural Resources and was studying the introduction to natural resource policy. Then Dr. Laborde also announced there were other students from the Human Dimension's Wildlife class.

Chairman Courville welcomed Colonel Martin and he also looked forward to working with the Colonel. Also, the Chairman hoped to get Colonel Broussard back to a meeting soon to pay tribute to him.

Captain Edward Skena presented the Enforcement Report for September 2017. There were 10 boating incidents, with 2 injuries and 1 fatality. In September, there were 567 written citations, 399 written warnings issued and 33 public assists. News Releases discussed related to four individuals were cited for removing oysters from a polluted area in Lafourche Parish; an individual was arrested for fishing without a basic fishing license, possession of methamphetamine with intent to distribute and possession of drug paraphernalia in Bienville Parish; and then 3 men were cited in Lafourche Parish for taking over the limit of speckled trout and possessing fish that were not intact while on the water.

Chairman Courville stated the next agenda item was to Receive One Health presentation by Dr. Rusty Berry, DVM. Dr. Berry introduced himself as the Assistant State Wildlife Veterinarian, and appreciated this opportunity. The definition of One Health is "the effort of multiple disciplines working locally, nationally, and globally to attain optimal health for people, animals and the environment". One Health recognizes that the health of people is connected to the health of animals and the environment. The international organizations include: the World Health Organization, the World Organization for Animal Health, and the Food and Agricultural Organization; and national players are: The U.S. Department of Health and Human Services, the

Center for Disease Control, U.S. Department of Homeland Security, USDA - Animal and Plant Health Inspection Service -Veterinary and Wildlife Services. An important fact about One Health is that about 75% of diseases are zoonotic which are naturally transmitted through human contact with animals. Today's One Health pandemic is the global spread of bird flu with the number of viral strains currently circulating. Waterfowl serves as a reservoir for the avian flu. China showed 1552 confirmed human cases of bird flu with 596 A chart of incidences of international cases showed the peak months were when waterfowl are migrating to their winter habitat. Dr. Berry added that the virus was spreading with Asia, Africa and Europe being the top 3 countries. United States, rabies occurs with a skunk variant occurring in Louisiana. Also there was concern with raccoon rabies in Alabama and fox and coyote rabies in Texas. The current recommendation of One Health was for expansion of vaccination programs for livestock, domestic animals and wildlife, but more urgently needed was increased surveillance at the animal-human and wildlife-domestic animal interface. A list of deer and feral swine diseases were then listed. Dr. Berry explained that feral swine can be infected with human, avian and swine viruses which could mass produce stronger viruses and cause lots of sicknesses. He then talked about a research project testing waterfowl for the avian influenza that was being conducted on Catahoula Lake in central Louisiana. One Health goals included: wildlife disease surveillance, vaccines, vector control, fencing strategies, population controls, repellants, trapping, permits as well as immunocontraceptive vaccines. Strategies were to educate the public and professionals through meetings and pamphlets. Of the Department's roles in One Health, the main one was to be the leader in wildlife disease surveillance in Louisiana. The Department also plays a critical role in food safety and educating the public when it was not safe to consume wildlife or fish. With funding sources getting tighter, the Department's field staff were the best trained and knowledgeable in obtaining wildlife samples. (A copy of Dr. Berry's presentation is included in the Appendices Section of the Minutes.)

Commissioner Yakupzack asked how avian influenza was transmitted from waterfowl to a hunter. Dr. Berry answered through direct contact or by breathing the air. Chairman Courville asked if a dead duck could transmit the virus and he was told the virus lives inside the bird and it could overwinter in the environment. Then Chairman Courville asked why the difference in the years and was it due to wet years versus dry years. Dr.

Berry noted there has been an explosion of viruses over the last several years and no one can explain why. Lastly Chairman Courville asked if there was a funding mechanism for One Health and he was told it was a concept and the Department was assisting with Wildlife Services on a statewide project.

Then Chairman Courville asked Mr. Johnathan Bordelon to come forward for his agenda item, Receive public outreach update for the Cervid Carcass Import Regulation. Mr. Bordelon began stating the outreach efforts have included presentations, advertisements and news releases. The presentations have been to hunting groups throughout the state, certain landowner groups and at the Louisiana Taxidermy Association Annual Expo. Interviews have also been conducted on Paradise Louisiana Television, Don Dubuc's Radio Show and local television stations. News releases went out in February, August and September and one would be released in October. A poster has been placed in the hunting pamphlet, magazines, given to DMAP Cooperators and was currently being distributed to sporting goods stores. The Department's website has been updated and includes a tab on Chronic Wasting Disease and how the Department was monitoring for it. Also on that website tab was the Cervid Import ban. The Department did a how to video on caping deer for processing and transporting the animal. An interactive map was included on the Department's website which shows the states that have CWD and the regulations on import restrictions in each state. Mr. Bordelon noted there were now 41 states with restrictions. (A copy of Mr. Bordelon's presentation is included in the Appendices Section of the Minutes.)

Commissioner Yakupzack asked, if someone shows up at a taxidermist shop with a tagged deer from out of state and it does not fall within Louisiana's regulations, what should that taxidermist do with that deer. Mr. Bordelon noted the taxidermist was not to accept the parts and provide the customer the reason why those parts could not be accepted in Louisiana. Chairman Courville congratulated Mr. Bordelon, Secretary Montoucet and the entire staff on the outstanding work and information provided on the new regulation. The Chairman then asked Mr. Bordelon to provide the Commission with the regulations from neighboring states on deer importation at a future meeting. Commissioner Smitko asked if there has been a noticeable trend in where CWD has been found. Mr. Bordelon stated the general trend has been a slow increase in prevalence and distribution. Commissioner Smitko then asked about the states of Texas and Arkansas. Mr. Bordelon stated that Texas went through a massive testing last year and did not find many

more cases than what they had already identified. Arkansas was having high prevalence rates and seeing the disease in younger animals. Chairman Courville again thanked the staff for getting this information to the hunters.

Chairman Courville then announced the next agenda item, Presentation of proposed Sterlet Aquaculture Facility would be given by Ms. Liz Knecht with Ledet's Louisiana Seafood. began by thanking for the opportunity to provide additional information on their proposed facility. She stated their facility would be using the recirculation aquaculture system as well as additional control measures to prevent Sterlet sturgeon from escaping. Also, they would comply with any other requirements from the Department of Wildlife and Fisheries. Other security measures include installing a fence with 3 rows of barbed wire around the perimeter, external doors would be secured by alarms, security cameras would be installed inside and outside, and signs placed on the fences and buildings. live contingency plan would be implemented in the case of disposal of the Sterlet sturgeon was required. Ms. Knecht further stated that the terms non-native and invasive have been used to describe Sterlet sturgeon. Then she defined invasive species and noted Sterlet sturgeon nor any other sturgeon was listed on an invasive species list. One concern that has been reported was that they always escape to which Ms. Knecht stated that was not an accurate statement. The Department's implementation of strict regulations to prevent escape of nonnative species in aquaculture facilities in place in Louisiana have worked as there have been no escapes of tilapia from those facilities. Concluding Ms. Knecht asked that they be given the opportunity to conduct a legal, highly regulated business in Natchitoches, Louisiana.

Following the presentation, Commissioner Smitko asked if the Sterlet sturgeon was a saltwater or freshwater fish and she was told a freshwater fish. Then Commissioner Smitko asked if the enforcement agents would be given access to their facility at any time without probable cause or without a warrant. Ms. Knecht stated that was already in place in the tilapia regulations and are very similar to that of the Sterlet sturgeon. She added they would have complete and total access. Commissioner Smitko asked if there are any diseases that can affect the Sterlet sturgeon. Ms. Knecht stated she was not aware of any.

Going on, Chairman Courville asked Mr. Rob Bourgeois, Fisheries Biologist, to present his agenda item, Receive public comment on

the NOI to add Sterlet Sturgeon as a Domesticated Aquatic Organism and Consider Proceeding with Final Rulemaking. Bourgeois explained the process for adding a species to the Domesticated Aquatic Organisms list. The Sterlet sturgeon is a Eurasian species and has been introduced throughout Europe through the use of backyard ponds, aquaculture escapes and intentional stocking. The Sterlet sturgeon is in aquaculture in Florida; its main use is caviar but there is a developing market for smoked meat products. Mr. Bourgeois then commented that Louisiana has four species of fish that could potentially be at risk if Sterlet sturgeon escapes into the waters of Louisiana. These species were Pallid sturgeon, Shovelnose sturgeon, Gulf sturgeon and American Paddlefish. During the initial process, the review panel looks at 3 factors: impacts to native species. impacts to native habitat and impacts to human health. factors that concerned the review panel if an escape would occur was the restoration of native sturgeon, the possible increase in illegal caviar trade or illegal harvest of native sturgeons, the caution the Department has exercised to prevent genetic impact to wild fish stocks, and the rules implemented by the State Legislature to protect native species. Mr. Bourgeois added there were no public comments in favor of adding Sterlet sturgeon to the Domesticated Aquatic Organisms list or establishing a Sterlet sturgeon permit. Comments against adding Sterlet sturgeon to the list came from the Southeastern Fishes Council, the U.S. Fish and Wildlife Service Southeast Region, the U.S. Fish and Wildlife Service Mountain-Prairie Region, the U.S. Fish and Wildlife Service Midwest Region, the Louisiana Wildlife Federation and the Louisiana Chapter of the American Fisheries Society. Lastly, Mr. Bourgeois listed proposed Sterlet sturgeon permit restrictions listed in the proposed (A copy of Mr. Bourgeois' presentation is included in the Appendices Section of the Minutes.)

Mr. Michael St. Martin stated he would repeat most of what Ms. Knecht already said, so he passed.

Mr. Seth Blitch, Louisiana Chapter of The Nature Conservancy, stated they support the findings of the review panel to not include Sterlet sturgeon into the Domesticated Aquatic Organisms list. He then talked about the possibility of escapes and the risk to native species and food sources.

Haring no further comments, Chairman Courville then asked the pleasure of the Commission to which Commissioner Smitko made a motion to proceed with final rulemaking as is, seconded by Commissioner Samanie and approved with no opposition.

Next agenda item, Receive and consider a Notice of Intent to modify Blue Crab Harvest Regulations was provided by Mr. Peyton Cagle, Fisheries Biologist. The action was to change the current 30-day closure for the commercial blue crab harvest In 2016, the Department found that the Louisiana blue crab stock was being overfished and this occurred as well in In 2014 and 2012, fishing mortality rate estimates exceeded their targets. Mr. Cagle then explained the current restrictions for the harvest of blue crabs. Effects from these regulations during the 2017 commercial season included a negative effect on the price and market of blue crabs; negative impact to fishermen due to lower dockside prices; the biological impacts would not be known until an annual assessment was performed; and a total of 5,674 derelict crab traps were removed from state waters. Following the 2017 closure, the Louisiana Crab Task Force received numerous objections from all involved in blue crab harvest which has resulted in an alternative management tool. Mr. Cagle then explained the proposed rule would no longer be for a 30-day commercial closure, but a prohibition on the commercial harvest of mature and immature female blue crabs during March and April 2018 and 2019. After those two years, the Department would reassess the stock and determine if future restrictions would be needed. Exceptions to the proposal would be to allow for premolt crabs, fishermen can have no more than 2% female crabs in their possession, and crabs in a work box would not be subject to the female restriction while onboard a vessel and the fisherman was actively fishing. Projected impacts would hopefully allow for a more stable market, allow fishermen a 12-month harvest, and an increase in female blue crabs by protecting them during mating and spawning times. A graph displayed showed the comparison between the 30day closure versus the 2-month harvest restriction. was a chart on the average landings for March and April during the 2013 and 2016 seasons. (A copy of Mr. Cagle's presentation is included in the Appendices Section of the Minutes.)

Commissioner Sunseri asked what happened biologically in 2017 that resulted in the large scale change and was there no longer an overfished issue. Mr. Cagle stated staff does not know the 2017 stocks since the annual assessment results would not be available until the beginning of next year. However, if you follow the trend, overfishing would continue. The new restriction, according to Mr. Cagle, would reduce the harvest of blue crabs but only for the females and would allow fishermen to fish and make money during Lent. Another reason for the proposal was the concerns expressed by the fishermen and the Crab Task Force on having a 30-day closure. Commissioner

Sunseri wondered if the weather or environmental closures during the closure had an impact on available crabs. Mr. Cagle mentioned weather impacts movement but the information on stocks was not known. Commissioner Sunseri then asked if the warm winter affected the crabs in their ability to rebound. Cagle stated it was still cold for the crabs and the warm weather may have affected the areas where the crab was caught. Lastly, Commissioner Sunseri asked, based on the previous 5 year landings, where did the March landings fit in and he was told February and March were times of lower landings. Samanie asked if any studies have been conducted to see if there was an impact to the food service sector and Mr. Cagle answered Commissioner Smitko asked if the current blue crab population was overfished and Mr. Cagle stated that for 2016 it was. Commissioner Smitko then asked if enough was being done with it still being overfished and how bad was it overfished. Mr. Jeff Marx felt the 2016 biomass was the lowest seen based on the 3 lowest years in history. There have been some positive indicators recently, he added. Commissioner Smitko asked that her concerns be understood in that she wanted to make sure there would still be crabs. Mr. Marx agreed and added the one good thing about crabs was their prolific spawns. Commissioner Smitko felt this new regulation would be an enforcement nightmare compared to a 30-day closure. Colonel Martin felt it would not be any different from when they do other enforcement checks and noted it would not be a problem. Commissioner Smitko stated that a 30-day closure would be an easy regulation to enforce as opposed to going to boats and docks and looking for female crabs. Colonel Martin agreed a closure would be easier but the restriction on female crabs could be handled. Commissioner Smitko then asked what was an immature premolt crab and Mr. Cagle answered it was a buster crab.

Mr. Nolan Exsterstein, St. Charles, Louisiana, stated the 30-day closure for a fisherman was more like 2 months with the bringing in and putting back out of traps. If the market was closed, the buyers would go elsewhere to get their crabs and this will make it more difficult for fishermen to get back into that market. He added that the closure for just females would not be a problem as the docks would not accept them. Commissioner Smitko asked Mr. Exsterstein how many traps does he fish and she was told 300-350, which he considered himself as a small fisherman. Then Commissioner Smitko asked how many traps do large fishermen use and Mr. Exsterstein felt it was between 500-1000 traps per day.

Commissioner Smitko commented that in 2001 commercial fishermen used between 200-300 traps and with the Department using an average 250 traps per fisherman was in her belief "way off the money". She then suggested the Department look at how many traps were being fished.

Chairman Courville asked for a comparison between the current regulation of a 30-day closure and the proposed regulation and what the objective would be. Mr. Cagle stated the objective was to reduce harvest and protect the female crabs. Then Chairman Courville asked if the intent was to get to the sustainable fishery qualification. Commissioner Samanie asked the position of the Crab Task Force on this proposal. Mr. Cagle answered the vote was 6 to 3 to go with the new proposal. Commissioner Smitko asked if the proposal would apply to recreational fishermen and Mr. Cagle answered no. Mr. Marx added this was for commercial harvest, not recreational. Then Commissioner Smitko felt this could create a problem with the possibility of having a black market since recreational fishermen were allowed the opportunity to harvest 12 dozen crabs per day. She felt the proposed regulation should apply to all crab fishermen.

Mr. Shawn Polkey, Lafourche Parish, stated he has been fishing crabs for 27 years and noted the fishermen would overfish the male crabs in a few weeks time. He felt the proposal was trying to be implemented before any facts or numbers were known from the current regulation. If the fishery was being overfished, Mr. Polkey felt licenses should stop being sold. He then noted he was totally against the 60-day closure for females and suggested leaving as it is.

Mr. Warren Delacroix, member of the Louisiana Crab Task Force, agreed with Mr. Polkey in that they have gone with other regulations to help with overfishing but there has not been enough time to see if the current regulations were working. He then asked to go from a trap closure to a fall (September and October) female closure. Mr. Delacroix added that the 30-day closure worked well but it occurred at the wrong time of the year. Commissioner Samanie asked Mr. Delacroix if the Crab Task Force discussed the possibility of a reduction in the number of traps per fisherman and he was told it was discussed but nothing ever came from it. Commissioner Samanie felt if the number of traps were reduced, a closure may not be needed and Mr. Delacroix felt that could be like a "balance beam". Commissioner Yakupzack asked if changing the time of year for the closure was discussed. Mr. Delacroix stated it has been an ongoing discussion. Commissioner Yakupzack then asked if there

was any action taken and Mr. Delacroix added some of the fishermen were opposed to the 2017 closure and wanted to have a seasonal closure only on females. Commissioner Smitko asked what part of the year would yield more per box. Mr. Delacroix explained his fishermen were wanting to change the closure to September and October which would allow the crabs to shed and get fatter. Mr. Marx clarified more options were discussed during the Crab Task Force meeting but most of the fishermen did not want a 30-day closure, no action was taken on the September-October closure but action was taken on this proposed regulation.

Mr. Whitney Curole, Des Allemands, began stating the crabs are being overeaten by fish. He then noted every year is different, some years there are lots of crabs and then some have little crabs, this depends on the weather. The closure killed the market since buyers went to other states to buy crabs and if the current regulation stayed in place, they would again have to go to other markets. Mr. Curole commented the female closure would help him no matter what months were used but to have a complete closure was a killer. Commissioner Sunseri asked Mr. Curole, in his retail place, did he have the opportunity to buy crabs from other places and he was told he does buy crabs from other docks in his area. Commissioner Sunseri explained he understands the plight of Mr. Curole and the other crab fishermen.

Mr. George Jackson, St. Bernard, stated the closure hurt all of the fishermen and he then asked that the proposed closure for March and April be moved to September or October. He also noted that finfish were eating the crabs and should be taken out. Another suggestion from Mr. Jackson was to put a moratorium on licenses. He explained that his business feeds 3 families and he fishes 600-800 traps so if there was a limit on the number of traps, he would not be able to crab fish.

Mr. Nick Felton, New Orleans, stated he was representing fire fighters who are also fishermen and they have told him this proposal would greatly hurt their business. He then urged the Commission not to go with the proposal. Commissioner Yakupzack asked Mr. Felton if he was wanting to not change from the 30-day closure and he was told yes, not go with the 60-day closure.

Chairman Courville asked Mr. Cagle to remind the Commission of the proposed regulation. Mr. Peyton stated the Notice of Intent would remove the 30-day closure and would implement the restriction of all female crabs for the months of March and April. Commissioner Sunseri made a motion to not take any

action now, send it back to the Crab Task Force for further discussion on the October closure and continue with the current closure. Commissioner Yakupzack stated if the Commission took no action would be the same as Commissioner Sunseri's motion. He then explained the Commission's role when they hear from the appointed members of one of 5 different task forces in Louisiana. Further Commissioner Yakupzack felt this issue was discussed at the Crab Task Force meeting and resulted in a vote of 6 to 3 which was one reason it was being presented now. no action was taken by the Commission, Commissioner Yakupzack challenged the Crab Task Force to let the Commission know how they want to reduce crab harvest and then let the Commission consider it. He then asked if there would be enough time to act if the Commission went with Commissioner Sunseri's motion and Mr. Marx answered no, the 30-day closure would stay in effect. General Counsel Yolanda Martin agreed that there would not be enough time if a decision was made in November to implement the proposed regulation. Commissioner Smitko asked if the proposed regulation was approved would there be enough time to amend the proposal and apply the no female harvest to recreational fishermen and Mrs. Martin stated there would not be enough time to amend the proposal and have it in place for the next season. Commissioner Smitko then asked if the same goal of reducing catch by 1.3 million pounds was being reached by both methods and was the spring the time to have this reduction and she was told yes to both questions. Commissioner Sunseri wanted to see more of a unanimous nature from the Crab Task Force in their recommendation. Mrs. Martin added that the Declaration of Emergency process could be used if the science warrants a change.

Mr. Warren Delacroix announced the Crab Task Force meets on October 10 and asked if there would be ample time to come back in November to implement the rule. Chairman Courville felt there would not be enough time but if science warrants, a Declaration of Emergency could be implemented.

Ms. Lisa Tillman, Chauvin, stated if no decision was taken, it would mean another loss due to the closure occurring during the time when they make most of their money. The female closure could be enforced since they are already monitoring the small crabs. Ms. Tillman felt no action would hurt every crab fisherman. Also she noted they agreed with the October closure.

Chairman Courville then asked for a second to Commissioner Sunseri's motion and none were heard. Then Commissioner Smitko made a motion to approve the Notice of Intent as recommended. She mentioned that in the future she would like to add recreational fishermen to any crab regulations. Commissioner Hogan seconded the motion and after a roll call vote the motion passed with no opposition.

(The full text of the Notice of Intent is made a part of the record.)

#### NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Blue Crab Harvest Regulations (LAC 76:VII.346)

Notice is hereby given in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 56:6(25)(a), that the Wildlife and Fisheries Commission, on October 5, 2017, proposes to change blue crab harvest regulations. The proposed changes will address the current state of the stock of blue crab and still allow a limited harvest during March and April without having a full closure of the fishery.

#### Title 76

#### WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

## §346. <del>Blue-Crab-Seasonal Closure and Restriction of Mature and Immature Female Blue Crab Harvest</del>

A. The commercial harvest of <u>female</u> blue crabs and the use of all crab traps are is prohibited for a thirty day period beginning on the third Monday in February during the months of March and April for the years 2017, 2018, and 2019. All crab traps remaining in the waters of the State of Louisiana during the closure period shall be presumed to be engaged in active fishing and thus considered illegal.

- D. However, a legally licensed commercial crab fisherman may have in his possession an incidental take of immature female crabs, and/or mature female blue crabs during the prohibited months, in an amount not to exceed two percent of the total number of crabs in his possession.
- 1. To determine whether the total number of crabs in possession violates this Subsection, the enforcement agent shall take:
  - a. a random sample of 50 crabs from each crate; or
  - b. group of crabs equivalent to one crate.
- 2. If more than two percent of the crabs in that 50 crab random sample are immature female crabs, and/or mature female crabs during the prohibited months, the entire number of crabs in that crate or group of crabs equivalent to one crate shall be considered to be in violation.

E. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.56:6(25) (a), R.S. 56:8, R.S. 56:32, R.S. 56:56(A)(5), R.S. 56:320(B)(3), R.S. 56:326(A)(2), R.S. 56:315, R.S. 56:332(E)(1) and R.S. 56:355.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 42:1962 (November 2016), amended LR.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and final Rule, including but not limited to, the filing of the Fiscal and Economic Impact statement, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

#### Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

#### Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

#### Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

#### Public Comments

Written comments should be addressed to Peyton Cagle, Marine Fisheries Biologist, 1213 N. Lakeshore Drive, Lake Charles, LA 70601, or via e-mail to <a href="mailto:peyton.cagle@la.gov">peyton.cagle@la.gov</a> prior to November 30, 2017.

Chad J. Courville, Chairman Louisiana Wildlife and Fisheries Commission

Chairman Courville then announced Mr. Peyton Cagle would handle the agenda item, Receive and consider a Notice of Intent on the 2018 Derelict Crab Trap Removal Program. Mr. Cagle stated this action was to consider closures for the derelict crab trap program. Louisiana landings for blue crab have averaged above 40 million pounds each year since 1997 and it was shown in 2001 that most fishermen use between 200-300 traps. Using an estimate of 250 traps per active fisherman, approximately 382,000 traps were in use during 2016. Maps of the closure areas from 2004 through 2016 was shown and then the 2017 closures was shown. A chart with the number of areas, number of traps removed and boat days since the program first began was presented. Pictures from the cleanup and potential hazards were Mr. Cagle went over the legislation that allows for this program. A closure for the Barataria Basin was proposed for February 1, 2018 through February 14, 2018. Next, a closure for the western section of Lake Pontchartrain would occur from February 1, 2018 but close February 10, 2018. The third closure would be in the Louisiana portion of Sabine Lake from February 16, 2018 through February 25, 2018. Another closure for the Pontchartrain Basin would be from February 16, 2018 through March 3, 2016. A closure from March 4, 2018 to March 19, 2018 would also be in the Pontchartrain Basin around the southern

side of the Mississippi River Gulf Outlet. The sixth closure would be located in the Terrebonne Basin and would begin March 16, 2018 to March 29, 2018. The last closure area would be in the Vermilion-Teche Basin and will occur from March 18, 2018 through March 31, 2018. Mr. Cagle reminded all that any traps left in the closure areas would be considered abandoned and the Department or its designee could retrieve them and bring them to a designated disposal site. (A copy of Mr. Cagle's presentation is included in the Appendices Section of the Minutes.)

Mr. John Lopez, Lake Pontchartrain Basin Foundation, stated he applauds the Department for the derelict crab trap program and it has been tremendously beneficial to work with them. He then noted that the Foundation was in support of the recommendation by the Department.

Commissioner Yakupzack felt last year's closures was a larger area and it had an advantage with the number of traps picked up. He then asked if there was a reason for not having a larger closure area rather than the specific areas. Mr. Cagle commented the Department was targeting areas with high traffic and an abundance of derelict crab traps. Hearing no further comments, Commissioner Sunseri made a motion to accept the Notice of Intent as written and it was seconded by Commissioner Yakupzack. The motion passed with no opposition.

(The full text of the Notice of Intent is made a part of the record.)

#### NOTICE OF INTENT

Department of Wildlife and Fisheries
Office of Fisheries
Wildlife and Fisheries Commission

Removal of Abandoned Crab Traps (LAC 76:VII.367)

Notice is hereby given in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 56:322(N), that the Wildlife and Fisheries Commission proposes to amend LAC 76:VII.367 to temporarily close a portion of state inside waters to the use of crab traps in order to facilitate the removal of abandoned crab traps in these waters.

The Wildlife and Fisheries Commission has amended the provisions in LAC 76:VII.367 governing the locations of temporary crab trap closures to address problems in portions of state waters resulting from large numbers of abandoned and derelict crab traps (Louisiana Register, Volume 30, Number 1; Volume 31, Number 1; Volume 32, Number 2; Volume 33, Number 1; Volume 34, Number 1; Volume 36; Number 1; Volume 38, Number 1; Volume 38, Number 1; Volume 38, Number 1; Volume 40, Number 1; Volume 41, Number 1; Volume 42, Number 1; Volume 42, Number 12). The Wildlife and Fisheries Commission, on October 5, 2017, proposes to amend the provisions to describe a new portion of state waters to be temporarily closed to the use of crab traps for the purpose of conducting a crab trap cleanup.

#### Title 76

#### WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery

#### §367. Removal of Abandoned Crab Traps

A. The use of crab traps shall be prohibited for a 14-day period from 12:00 a.m. February 1, 2018 through 11:59 p.m. February 14, 2018 within portions of Plaquemines and Jefferson Parishes as described below:

From a point originating on the western boundary of the Barataria Waterway (Lat. 29° 34' 54.52" N., Long. 90° 3' 41.24" W.), thence easterly to the intersection of Highway 23 and Reddick Lane (Lat. 29° 34' 53.36" N., Long. 89° 49' 38.29" W.), thence southerly on Highway 23 to the intersection of Caroline Avenue and Highway 23, thence southwesterly to a point where Little Pass and the southern bank of the Freeport Sulphur Canal intersect (Lat. 29° 27' 19.15"N Long. 89° 42' 25.96" W.), thence southwesterly following the southern bank of the Freeport Sulphur Canal to a point located at Lat. 29° 23' 51.08" N., Long. 89° 46' 30.00" W., thence westerly to a point located on the western shore of the Barataria Waterway at Lat. 29° 24' 17.19" N., Long. 89° 59' 24.00" W., thence northerly following the western shore of the Barataria Waterway and terminating at the origin.

B. The use of crab traps shall be prohibited for a 10-day period from 12:00 a.m. February 1, 2018 through 11:59 p.m.

February 10, 2018 within the parishes of St. John the Baptist, St. Charles, Jefferson Parish, St. Tammany, as described below:

From a point of origin where I-55 intersects Pass Manchac (Lat. 30° 17' 7.08" N., Long. 90° 24' 6.07" W.), thence easterly following the northern bank of Pass Manchac to the point where Pass Manchac exits at the northwest bank of Lake Pontchartrain, thence northerly following the bank of Lake Pontchartrain to the south bound lane of the Lake Pontchartrain Causeway (Lat. 30° 21' 51.75" N., Long. 90° 5' 38.59" W.), thence southerly to a point where the Lake Pontchartrain Causeway crosses the Lakefront Trail located at Lat. 30° 1' 10.06" N., Long. 90° 9' 17.28" W., thence westerly following the Lakefront Trail along the south bank of Lake Pontchartrain until it intersects the Duncan Canal (Lat. 30° 2' 50.56" N., Long. 90° 16' 45.21" W.), thence westerly past the Duncan Canal continuing to follow the south bank of Lake Pontchartrain to a point where I-10 passes over the southern bank of Lake Pontchartrain (Lat. 30° 3' 21.43" N., Long. 90° 22' 17.79" W.), thence westerly on I-10 to the intersection of I-55, thence northerly on I-55 and terminating at the origin.

C. The use of crab traps shall be prohibited for a 10-day period from 12:00 a.m. February 16, 2018 through 11:59 p.m. February 25, 2018 to coincide with the Texas closure of Sabine Lake. This closure will take place within that portion of Cameron Parish as described below:

From a point originating from the intersection of the southern side of LA Highway 82 and the eastern shore of Sabine Lake, thence northerly along the eastern shoreline of Sabine Lake to its intersection with East Pass, thence due north to Sabine Island, thence westerly along the southern shoreline of Sabine Island to its westward most point, thence due west to the Texas state line, thence southerly along the Louisiana / Texas state line to its intersection with LA Highway 82, thence easterly along the southern side of LA Highway 82 and terminating at its origin.

D. The use of crab traps shall be prohibited for a 16-day period from 12:00 a.m. February 16, 2018 through 11:59 p.m. March 3, 2018 within St. Bernard parish as described below:

From a point of origin located at the most northeastern corner of Proctor Point in Lake Borgne (Lat. 29°56' 47.47" N., Long. 89°42' 54.25" W.), thence easterly to the most northwestern point in Lake Eugenie (Lat. 29°55' 42.99" N., Long. 89°26' 32.41" W.), thence southerly past Coon Nest Island to a

point located on the western bank of the Mississippi River Gulf Outlet (MRGO) (Lat. 29° 42' 29.25" N., Long. 89° 26' 16.56" W.), thence northwesterly following the western bank of the MRGO to the intersection of Bayou La Loutre, thence westerly following the southern bank of Bayou La Loutre until Bayou La Loutre intersects with and the Shell Beach Cut (Lat. 29° 50' 28.27" N., Long. 89° 41' 23.38" W.), thence following the western bank of the Shell Beach cut northerly to its entry point at Lake Borgne (Lat. 29° 51' 54.53" N., Long. 89° 40' 32.52" W.), thence westerly following the southern bank of Lake Borgne as it makes its northern turn at Proctor Point and terminating at the origin.

E. The use of crab traps shall be prohibited for a 16-day period from 12:00 a.m. March 4, 2018 through 11:59 p.m. March 19, 2018 within those portions of Jefferson and Plaquemines Parishes as described below:

From a point located where Bayou La Loutre crosses under Highway 300 (Lat. 29° 50' 40.41" N., Long. 89° 45' 32.18" W.), thence southerly on Highway 300 to Sweetwater Marina in Delacroix, thence southerly following the western bank of Bayou Terre aux Boeufs to its point of exit into Black Bay (Lat. 29° 39' 14.73" N., Long. 89° 32' 54.19" W.), thence southeasterly to a point located at the southern tip of Mozambique Point (Lat. 29° 38' 2.27" N., Long. 89° 30' 2.80" W.), thence easterly to a point located on the western bank of the MRGO, across from Grace Point, (Lat. 29° 41' 1.11" N., Long. 89° 24' 2.54" W.), thence northwesterly following the western bank of the MRGO to the intersection of Bayou La Loutre, thence westerly following the northern bank of Bayou La Loutre and terminating at the origin.

F. The use of crab traps shall be prohibited for a 14-day period from 12:00 a.m. March 16, 2018 through 11:59 p.m. March 29, 2018 within that portion of Terrebonne Parish as described below:

From a point originating from the intersection of LA Highway 57 and Dulac Canal, thence easterly along LA Highway 57 to its intersection with LA 56, thence due east to the western shoreline of Bayou Little Caillou, thence northerly along the western shoreline of Bayou Little Caillou to its intersection with Lapeyrouse Canal, thence easterly along the northern shoreline of Lapeyrouse Canal to its intersection with Bayou Terrebonne, thence southerly along the eastern shoreline of Bayou Terrebonne to its intersection with Seabreeze Pass, thence southwesterly to channel marker number 17 of the Houma Navigation Canal (Lat. 29° 11' 11.3" N., Long. 90° 36' 44.5" W.),

thence southwesterly to the northern most point on Pass la Poule Island (Lat. 29° 08' 33.5" N., Long. 90° 39' 01.3" W.), thence westerly to Bayou Sale channel marker (Lat. 29° 06' 31.8" N., Long. 90° 44' 34.2" W.), thence northerly to the western shoreline of Bayou Sale, thence northerly along the western shoreline of Bayou Sale to its intersection with Four Point Bayou, thence northerly along the western shoreline of Four Point Bayou to its intersection with the Houma Navigation Canal, thence northerly along the western shoreline of the Houma Navigation Canal to its intersection with Bayou Grand Caillou, thence northerly along the western shoreline of Bayou Grand Caillou to its intersection with Dulac Canal, thence easterly along the northern shoreline of Dulac Canal and terminating at its origin.

G. The use of crab traps shall be prohibited for a 14-day period beginning at 12:00 a.m. on March 18, 2018 and end on March 31, 2018 at 11:59 p.m. for portions located in Iberia and St. Mary Parishes as described below:

From a point originating from the intersection of the Gulf Intracoastal Waterway and the Acadiana Navigational Channel, thence southwesterly along the Acadiana Navigational Channel red buoy line to the red navigational marker number 12 on the Marsh Island shoreline near Southwest Pass, thence easterly along the northern shoreline of Marsh Island to Longitude 91° 43′ 00″ W, thence north along Longitude 91° 43′ 00″ W to the shoreline of West Cote Blanche Bay, thence westerly along the northern shoreline of West Cote Blanche Bay to its intersection with the Ivanhoe Canal, thence northerly along the eastern shoreline of the Ivanhoe Canal to its intersection with the Gulf Intracoastal Waterway, thence westerly along the northern shoreline of the Gulf Intracoastal Waterway and terminating at the origin.

H. All crab traps remaining in the closed area during the specified period shall be considered abandoned. These trap removal regulations do not provide authorization for access to private property; authorization to access private property can only be provided by individual landowners. Crab traps may be removed only between one-half hour before sunrise to one-half hour after sunset. Louisiana Department of Wildlife and Fisheries personnel or its designees are authorized to remove these abandoned crab traps within the closed area. All traps removed during a closed area are to be brought to the designated disposal area. No person removing crab traps from the designated closed areas during the closure periods shall possess these traps outside of the closed area. The Wildlife and

Fisheries Commission authorizes the Secretary of the Department of Wildlife and Fisheries to designate disposal sites.

- A. The use of crab traps shall be-prohibited from 12 a.m., Monday, February 20, 2017 through 11:59-p.m., Tuesday, March 7, 2017 within that portion of Jefferson Parish, Lafourche Parish, Orleans-Parish, Plaquemines Parish, St. Bernard Parish, St. Charles Parish, St. John-the Baptist, St. Tammany Parish and Tangipahoa Parish, as described below:
- 1. areas seaward out to the inside/outside shrimp line from a point originating at the intersection of Interstate 10 at the Mississippi/Louisiana state line westward along Interstate 12. Thence westward along Interstate 12 to the intersection of Interstate 55; thence southward along Interstate 55 to its intersection with Interstate 10; thence eastward along Interstate 10 to its intersection with Interstate 310; thence southward along Interstate 310 to its intersection with Louisiana Highway 90; thence westward along Highway 90 to its intersection with Bayou Lafourche; thence southward along Bayou Lafourche to Belle Pass.
- B. The use of crab traps shall be prohibited from 12 a.m., Monday, March 6, 2017 through 11:59 p.m., Tuesday, March 21, 2017 within that portion of Acadia Parish, Assumption Parish, Calcasicu Parish, Cameron Parish, Iberia Parish, Jefferson Davis Parish, Lafayette Parish, Lafourche Parish, St. Martin Parish, St. Mary Parish, Terrebonne Parish and Vermilion Parish, and as described below:
- 1. areas seaward out to the inside/outside shrimp line from a point originating at Belle Pass northward along Bayou Lafourche to its intersection with Louisiana Highway 90; thence westward along Highway 90 to its intersection with Interstate 10; thence westward along Interstate 10 to its intersection with the Texas/Louisiana state line.
- C. All crab traps remaining—in—the closed area during the specified period shall be considered—abandoned. These trap removal—regulations do not provide authorization for access to private property; authorization to access private property—can only be provided—by—individual landowners. Crab—traps—may be removed only between one half—hour—before sunrise to one half hour after sunset. Louisiana Department—of Wildlife and Fisheries—personnel—or—its designees are authorized—to—remove these abandoned—crab—traps within the closed area.—No—person removing crab—traps from—the—designated closed areas during—the

closure periods shall possess these traps outside of the closed area. The Wildlife and Fisheries Commission authorizes the secretary of the Department of Wildlife and Fisheries to designate disposal sites.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:332(N).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 30:101 (January 2004), amended LR 31:108 (January 2005), LR 32:266 (February 2006), LR 33:113 (January 2007), LR 34:97 (January 2008), LR 36:77 (January, 2010), LR 38:146 (January 2012), LR 38:3250 (December 2012), LR 40:96 (January 2014), LR 41:155 (January 2015), LR 42:70 (January 2016), amended by the Department of Wildlife and Fisheries, Office of Fisheries and the Wildlife and Fisheries Commission LR 42:2196 (December 2016), LR .

The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and final rule, including but not limited to, the filing of the Fiscal and Economic Impact statement, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

#### Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

#### Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S.49:973.

#### Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

#### Public Comments

Interested persons may submit written comments relative to the proposed Rule to Mr. Peyton Cagle, Marine Fisheries Biologist DCL-B, Marine Fisheries Section, 1213 N. Lakeshore Dr., Lake Charles, LA 70611, or via email to peyton.cagle@la.gov prior to November 30, 2017.

> Chad J. Courville, Chairman Louisiana Wildlife and Fisheries Commission

Chairman Courville then announced the next agenda item, Receive and consider a presentation on the 2017 recreational season for Red Snapper in state and Federal Waters and Consider a Declaration of Emergency to re-open state water recreational Red Snapper season was to be given by Mr. Jason Adriance, Fisheries Biologist. Mr. Adriance began the presentation showing a table of Louisiana's 2017 red snapper landings; then a comparison of 2017 landings with the years 2014, 2015 and 2016; a graph showing Louisiana's landings amounted to approximately 936,000 pounds with an additional 108,700 pounds still to be caught; red snapper landing rates in pounds from the 3 previous years; and a weekly summary of landings from weeks 24 through 36 which averaged 45,919 pounds per week. Mr. Adriance then explained that the possible projections for the remaining harvest could be higher or lower depending on a variety of factors and assumptions of effort and fish weight. He added that the Department would continually monitor harvest rates through the LA Creel program. The projection will be based on a weekends only season from last fall and will have a standard deviation rate of + or - 1. If the landings are exceeded this year, that amount can be deducted from next year's limit as it was this A chart and graph was shown projecting the red snapper landings through the remainder of the year. Mr. Adriance then mentioned a Declaration of Emergency would be needed to open the red snapper season with different options and to give the Secretary authority to close the season when the quota was met or projected to be met. (A copy of Mr. Adriance's presentation is included in the Appendices Section of the Minutes.)

Chairman Courville noted there were several letters in the packets from interested parties and then opened the agenda item for discussion. Commissioner Yakupzack asked if the Department still did not have any data from the other Gulf states, NOAA or NMFS and Mr. Adriance stated that the Gulf states have not

released any landings and NOAA's landings were from April-May. He did add that the Louisiana's landings were current.

Mr. David Creeson, Coastal Conservation Association of Louisiana, appreciated the 39-day extension and the manner in which the harvest was managed. He felt this was a boast to anglers and added that LA Creel was a gold standard and Louisiana was equipped to manage all reef fish effectively. But in reference to the fall season, Mr. Creeson recommended delaying the season until complete harvest information was available.

Mr. Chris Macaluso, Baton Rouge, thanked the Department and Commission for insisting the use of LA Creel program. He also felt the 39-day extension season was a success which allowed for better economic activity along the coast. Mr. Macaluso reminded everyone that the red snapper was still under the Magnuson-Stevens Fishery Conservation Act and it was to be managed as one stock. He also felt it would be prudent to delay any action for a fall season until all of the numbers were in. Concluding, Mr. Macaluso asked that LA Creel be what manages the reef fish and suggested having the Department manage reef fish out to 200 miles.

Secretary Montoucet stated he respectfully disagreed with the previous speakers. He explained that the Department was capable to keep within the set boundaries through LA Creel and we should give to the fishermen as much availability to catch the fish in the Gulf. If the Department can keep the landings within the quota, the Secretary felt the anglers were owed that additional poundage. Another point to consider was that landings needed to be kept as close as possible to the historical landings since this could result in the average landings be less than what is available now. Secretary Montoucet commented that if there was an overharvest this year like there was in 2016, the state could be accountable by reducing next year's quota by that amount. Further he stated he was part of the 39-day season discussion and part of it included Texas and Louisiana reserving the right to open the state waters if there was extra fish for the fishermen to catch. He then asked that the season be reopened to give the fishermen another opportunity to catch the amount of fish coming to them. Secretary Montoucet commented he looks at what the resources are and wants to make them available to the citizens of the State.

Commissioner Yakupzack stated he was proud of the action taken in the 39-day season since it was not limited to just one area

but extended from a rig in Grand Isle to Sabine River. He added he has heard plenty of comments from anglers who were absolutely elated to have had the opportunity to fish and was looking forward to next year. Based on that, Commissioner Yakupzack stated he was on alert if the season was reopened which could jeopardize the season for next year. He did however agree with Secretary Montoucet to offer more fish to anglers when possible but understood that the gulfwide numbers were not known and suggested delay taking any further action. Commissioner Yakupzack did mention that if the numbers from the other states and agencies were available, the Chairman could call a Special Commission Meeting to set the season. Commissioner Smitko made a motion to go forward with the state season but it failed for lack of a second motion. Chairman Courville agreed with Commissioner Yakupzack and felt it would be a bad idea to have a season based on unknown data and a pending lawsuit. He added that there was a need for the Louisiana Only Amendment and thanked Assistant Secretary Patrick Banks for his outstanding work on this Amendment. Secretary Montoucet stated if the Department reacted to every lawsuit, then they would not be doing anything but waiting for their outcome. He was concerned with the lawsuit but added it was the American way. Secretary was concerned with the commitment he and the Governor made to the fishermen and State; but added the Department made a recommendation based on the science. Chairman Courville noted once the Louisiana One Amendment was acted upon, then Louisiana would have the luxury of managing through LA Creel. Commissioner Sunseri asked if any action was needed at this meeting that would allow the Commission to take action in November or December if the numbers were to show an available harvest. Chairman Courville committed to calling a Special Commission Meeting if the gulfwide numbers were available and it showed an opportunity to fill the remaining quota. Commissioner Smitko mentioned that the quota would still be under if the season was opened from October 9 to October 29 even with the +1 deviation.

Next, Commissioner Hogan made a motion to Set the February 2018 Commission Meeting Date on February 1, 2018, seconded by Commissioner Sunseri and approved with no opposition.

Chairman Courville then asked for Public Comments. Mr. Chris Macaluso stated, at the Gulf Council Meeting, there was the potential for another exempted fishing permit be developed. This came about from an Appropriations Law passed by the U.S. Senate regarding the management of reef fish and reef fish zones. He then asked that if the Department is to develop this

permit to please include the public in the discussions. Mr. Macaluso felt LA Creel and the Department has done a great job but the Gulf Council penalized fishing gulfwide due to an overage of less than 200,000 pounds from last year. He felt the Commission took the right action in not opening the red snapper season at this meeting.

There being no further business, Commissioner Smitko made a motion for Adjournment and was unanimously approved.

APPENDICES



## One Health

Rusty Berry, DVM
Assistant State Wildlife Veterinarian
10/5/17

## **Presentation Goals**

- ▶ Define One Health
- Identify the work LDWF could do to contribute
- ➤ How this might add to the relevancy of LDWF as an agency going into the future





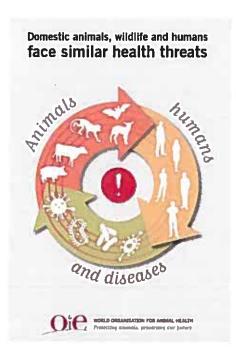
### **One Health Definition**

- One Health is the effort of multiple disciplines working locally, nationally, and globally to attain optimal health for people, animals, and the environment.
- Human Medicine, Veterinary Medicine, Wildlife Biologists and Environmental Scientists working together





## **One Health Goal**



- The goal of One Health is to encourage the collaborative efforts of multiple disciplines working locally, nationally, and globally to achieve the best health for people, animals and our environment.
- One Health recognizes that the health of people is connected to the health of animals and the environment.



## **One Health International Players**





➤ The World Health Organization (WHO) is a specialized agency of the United Nations that is concerned with international public health. It was established on 7 April 1948, headquartered in Geneva, Switzerland.



## **One Health International Players**



- FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
- World Organisation for Animal Health (OIE) was implemented by an international agreement in 1924 and is tasked with controlling animal disease at a global level.
- Food and Agricultural Organization (FAO) is an entity of the United Nations. Their purpose is eradicating hunger and food insecurity.



## **One Health National Players**



The United States Department of Health and Human Services (HHS) is the lead for federal medical and public health response.





Within HHS, the Centers for Disease Control and Prevention (CDC) is the major operational division for public health preparedness and response.

## **One Health National Players**



The United States Department of Homeland Security is the lead in overall domestic incident management and federal coordination.



- USDA Animal and Plant Health Inspection Service: Veterinary Services
- Wildlife Services Protecting People | Protecting Agriculture | Protecting Wildlife
  - USDA Animal and Plant Health Inspection Service: Wildlife Services



# Supporters of One Health (Too Numerous to List)

- American Veterinary Medical Association
- American Medical Association
- American Society of Tropical Medicine & Hygiene
- American College of Preventive Medicine
- American College of Occupational and Environmental
- Medicine
- American Association of Public Health Physicians
- Academy of Pharmaceutical Physicians and Investigators American Society of Veterinary Tropical Medicine
- American Phytopathological Society
- World Association of Veterinary Laboratory Diagnosticians
- American Association of Veterinary Laboratory Diagnosticians
- Delta Society (Pet Partners)
- Former PHS Surgeons General (Koop, Carmona)
- 3 Nobel Laureates
- Multiple members of the National Academy
- 389 leading physicians, veterinarians, scientists and policy makers, leaders in Government, Academia, Education, Industry, Public Health

## One Health - The Facts

- ➤ Approximately 75% of human emerging infectious diseases are zoonotic (naturally transmitted between animals and people) and enter the human population through human contact with animals.
- > Animal Health is critical to protein supply and food safety.









75%
of emerging pathogens
(Ebola, West Nile, Avian
Influenza) are transmitted
from animals to humans

# One Health The Growing Threat of Pandemics

- Epidemic: An outbreak of disease that attacks many people at about the same time and may spread through one or several communities.
- Pandemic: An epidemic occurring worldwide, or over a very wide area, crossing international boundaries and usually affecting a large number of people. (25% of world population)
- 1918 Influenza Outbreak killed 50-90 million people worldwide

## One Health - Today's Threat of Pandemics

- > The global spread of bird flu and the number of viral strains currently circulating and causing infections have reached unprecedented levels
- Experts warn that the number of outbreaks are at unprecedented levels
- Raises risk of a jump of a deadly strain of avian flu to humans and potential pandemic



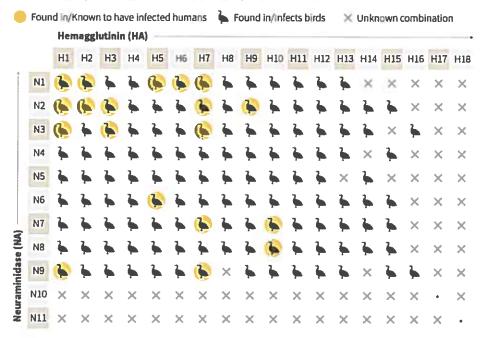




#### **Bird flu strains**

#### **INFLUENZA TYPE A VIRUS SUBTYPES**

Influenza hemagglutinin (HA) and neuraminidase (NA) protein combinations





Notes: For H1N3, research from the 1980s suggests that a human in Azerbaljan was infected with this strain. Technology available then could not definitively conclude that it was in fact H1N3 but neither was there evidence to suggest it wasn't. Only human and avian infections are shown; some of these subtypes also infect swine, horses, dogs and other animals. Mixed subtypes and hybrids not shown. \* The H17N10 and H18N11 subtypes have only been found in bats.

Sources. FluNet; WHO; Universal Protein Resource (UniProt), Influenza Research Database

C Chan, 16/12/2016

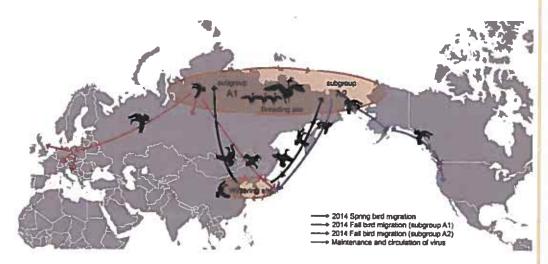
REUTERS

# Waterfowl serve as the Reservoir for Avian Flu



United States Department of Agriculture

Detecting emerging strains: H5 HPAI 2.3.4.4 2014-15





Lee DH, Torchetti MK, Winker K, Song CS, Swayne D. Intercontinental Spread of Asian-origin H5N8 to North America through Beringia by Migratory Birds. *J Virol* 

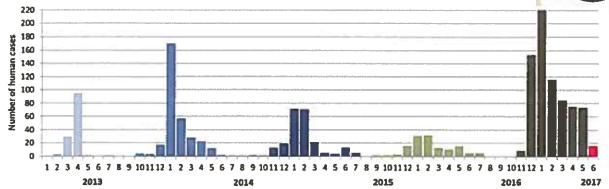
CHINA
Human Cases and Positive Findings in Birds or the Environment



# of Human cases: 1552 confirmed; 596 deaths (since February 2013). Source: FAO H7N9 situation update 14 June 2017, 12:00 hours; Rome http://www.fao.org/ag/againfo/programmes/en/empres/h7n9/situation\_update.html

Incidence of officially reported international <u>human cases</u> by month, based on onset date as of 14 June 2017. Information provided corresponds to both high and low pathogenic H7N9 viruses.

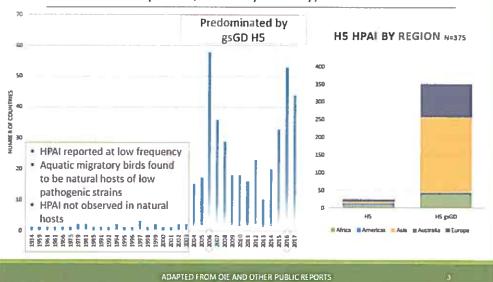




# **HPAI** Spreading



Historic global HPAI reports by subtype/year 1934-2017 (n=419; count by country)



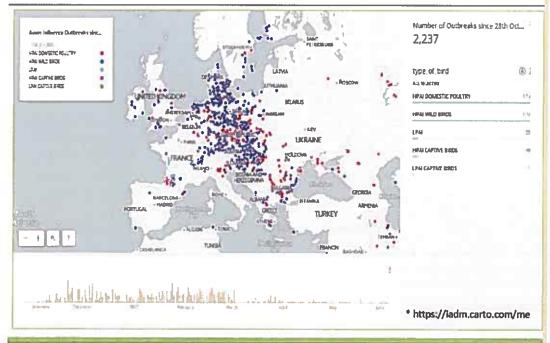


# **Europe HPAI Detections**

USDA

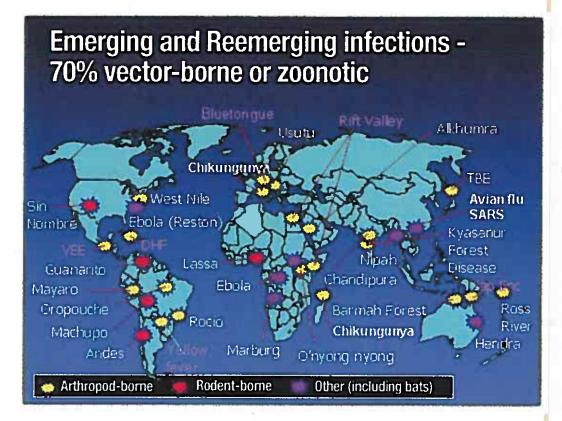
United States Department of Agriculture

H5 HPAI detections, predominantly H5N8 HPAI, in Europe From October 2016 through June 13, 2017 \*



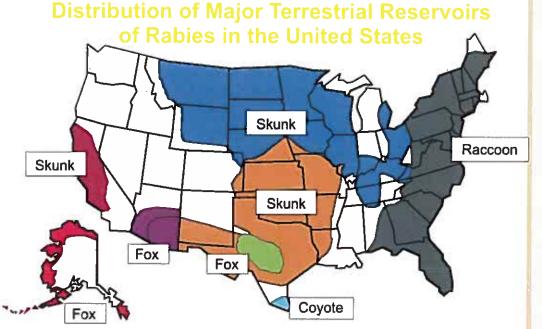


## **Zoonotic Disease World Map**





# Rabies in the United States CDC







# One Health Current Recommendations

- > There should be an expansion of vaccination programs for livestock, domestic animals and wildlife.
- Increased disease surveillance at the animal-human and wildlife-domestic animal interface is urgently needed.



# **USDA-Veterinary Services list of Zoonotic Diseases Carried by WTD**



- 1. Mycobacterium bovis
- 2. Lyme disease (Borrelia burgdorferi)
- 3. Anthrax
- 4. Toxoplasmosis (Toxoplasma gondii)
- 5. Leptospirosis
- 6. Deer Parapoxvirus
- 7. Anaplasma phagocytophilum
- 8. Hepatitis E Virus
- 9. Enterohemorrhagic infections (E. coli)
- 10. Borrelia lonestari
- 11. Ehrlichia chaffeensis
- 12. Brucellosis- (LDWF)



# Feral Swine Serve as a Reservoir for Many Human Diseases

- ➤ Influenza A (important in the conversion from the avian to human strain)
- ➤ Brucella suis
- > Toxoplasma qondii
- > Trichinella spiralis
- ➤ Tularemia
- ➤ Leptospirosis
- ➤ Salmonellosis
- ➤ Rabies
- > Francisella tularensis
- > Streptococcus suis
- ➤ Many types of internal parasites
- > many other diseases...





# Why are Feral Swine an Influenza Threat to Humans and other animals?

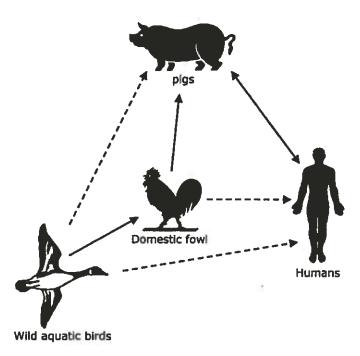


- •Because their tracheal epithelium contains virus receptors that are preferred by both avian influenza viruses and mammalian influenza viruses
- •In direct support of this, reassortant viruses containing genes from human, avian and swine influenza viruses have been isolated from pigs and in the U.S. since 1998
- •Furthermore, a reassortant swine/avian influenza virus was isolated from a **person** in Wisconsin in 1998



## **Swine = Virus Generator**

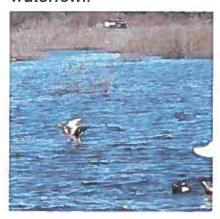
pigs can generate large infectious droplets better than any other animal





# LDWF's Current One Health Research Project Catahoula Lake: Avian Influenza Testing

- 30,000 acre wetland basin in central Louisiana
- Largest freshwater lake in Louisiana
- Larry Reynolds: "Because of its size, topography, large seasonal fluctuations in water level, and historically large zones of monotypic moist-soil vegetation, Catahoula Lake provides continentally important habitat for migratory waterfowl."







#### Catahoula Lake: Perfect Storm for next Outbreak?

- 500,000 ducks have been counted during fall aerial surveys of Catahoula Lake
- Ducks from all 4 North American flyways have been reported on Catahoula Lake
- Waterfowl are natural reservoir for avian influenza
- LDWF test results show an increase in avian influenza
- · Hundreds of feral swine feed in and around the lake bed
- · Hundreds of hunters and fishermen visit the lake daily
- Naive populations = epidemic + travel = pandemic





# One Health Research & Procedure Goals

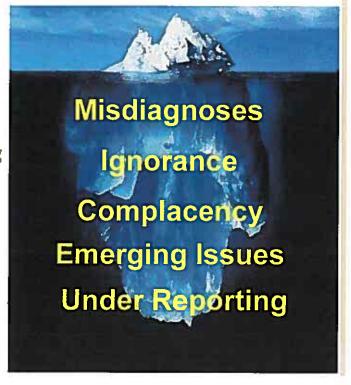
- > Wildlife Disease Surveillance
- Vaccines and vaccine delivery systems
- > Vector Control
- > Fencing Strategies
- ➤ Wildlife Population Controls
- > Targeted Repellants
- > Trapping
- Special Hunting Permits
- > Immunocontraceptive Vaccines







# Wildlife-Livestock-Human Disease Spectrum





We're just seeing the tip-of-the iceberg...

# **Mitigation Strategies**

- Public & Professional Education:
  - Meetings:
    - Hunter's Safety Courses
    - Livestock Associations
    - Wildlife/Conservation Associations
    - Veterinary Associations
    - Schools
  - Pamphlets:
    - Disease Risks
    - Biosecurity Measures





# **Mitigation Strategies Professional Education**

# Louisiana Morbidity Report



Office of Public Finalth - Infectious Disease Epidemiology Section P.O. Box 60630, New Orleans, LA 70160 - Phone: (504) 568-8313 http://dbh.loukiana.gov/LMR

DEPARTMENT OF AND HOSPITALS

Infactious Disease Epidemiology Main Webpage http://www.infectiousdisesse.dhh.louisinna.gov

BRUCE D. GRED SECRETARY

January - February 2013

Volume 24 Number 1

## Wildlife And Agricultural Animal Diseases: A Reminder Of Potential Hazards To Hunters - Louisiana, 2013

Gary Balsamo, D.V.M., M.P.H.&T.M.: Rusty Berry, D.V.M.

when treating patients who hunt or handle wild game.

Ongoing studies conducted by the Louisians Department of Wildlife and Finheries (LDWF) serve as a reminder to hunters to exercise
caution in handling dreating and processing wild animals. Physical department of the past years are not processed and processing wild animals. Physical department of the past years are not processed and processing wild animals. Physical department of the past years are not processed and processing wild animals. mant should also be prepared to consider zoonoxic disease diagnoses Louisiana deer, LDWF presently conducts surveillance for both of

Several Louisiana veteriorarians who also enjoy hunting recently

One of the more interesting theories involves a third species that,
to date, has not directly been implicated in the possible outbreak. tailed deer present in the northwest corner of the state. Veterinarians swine, and in particular, foral swine. Feral hogs are a very popular LDWF also received anothers reports of remined phoenius, a wild return many be proving problemanc in many areas of the United Same. Once these animals reach sexual maturity, feral sware have cory lies matural predictors and low rates of early natural mortality. Combined with a fairly prolific birth rate, (average litter size is four as six and marsh conditions, but can reach 10 to 12 under optimal

# LDWF's Role in One Health Summary

- > Be the leader in wildlife disease surveillance in Louisiana.
- > Continue to collect wildlife samples for disease testing from deer, turkeys, waterfowl, raccoons, coyotes, foxes, skunks, bears, bats and feral swine.
- Respond to Unusual Mortality Events (UME) in wildlife.
- > Respond to adverse human interaction with wildlife.
- > Have a close working relationship with DHH. LDAF, USDA-VS and USDA-WS.





# LDWF's Role in One Health Summary

- ➤ Continue educating LDWF Field Staff on proper Personal Protective Equipment (PPE), sampling and disposal protocols when working directly with wildlife.
- > Educate the public on proper cleaning, dressing and handling of wild game.
- > Educate the public on reporting to LDWF their observations of abnormal behavior in wildlife.
- > Confiscate illegal wildlife
- Continue to author and pass regulations aimed at protecting Louisiana's wildlife from foreign diseases



How One Health might add to the relevancy of LDWF as an agency going into the future

# ➤ Food Safety

- LDWF plays a critical role in food safety
- Most of the wild game and fish harvested by the pubic are also consumed by the public
- Wild game and fish are very important human protein sources
- The public assumes that the wildlife/fish protein source is wholesome
- The public relies on LDWF to keep that protein source safe for human consumption
- The public relies on LDWF to educate them when it is not safe to consume wildlife/fish









# How One Health might add to the relevancy of LDWF as an agency going into the future

# > Funding Sources

- As funding sources get tighter and tighter, human health issues will be given top priority
- Since 75% of new human infectious diseases are zoonotic, wildlife testing will become more important in order to monitor outbreak potential
- Most domestic animals become infected due to exposure to wildlife that spread the disease
- Who better to gather wildlife samples than LDWF Field Staff
- Our Field Staff have the training and local knowledge necessary to obtain diagnostic samples in an efficient and safe manner



## One Health - Wildlife

Dr. Samantha Gibbs leads the Wildlife Health office, which provides veterinary support for wildlife health issues on the U.S. Fish and Wildlife Service's National Wildlife Refuges stated:



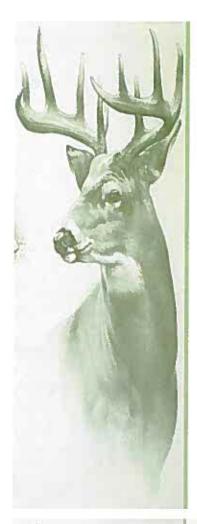
"The health of the Refuge is affected by previous uses of the land, the quality and quantity of the water flowing from up stream, the air quality above it, the mineral resources below it, the fragmentation and development of the habitat along its borders, the health of the domestic animals both inside and outside the Refuge boundaries, and the health of the humans visiting or working there."

"For a wildlife veterinarian, the concepts of One Health are inescapable; they are just a reality of my everyday work."









# Cervid Carcass Import Regulation Outreach Update

Johnathan Bordelon LDWF Deer Program Manager



# Presentations:

- QDMA Summer Seminar Baton Rouge
- Safari Club International Lafayette
- QDMA (SW Chapter) Lake Charles
- Whitetails Unlimited Ruston
- NW DMAP Coop Meeting Bastrop
- LSU Ag Landowner Field Day Clinton
- Mississippi River Landowners Assoc.
- 2017 Louisiana Taxidermy Association Annual Expo Lafayette
- National Hunting and Fishing Day Woodworth, Baton Rouge
- Wildlife Educator Instructor Workshop Pollock
- Rotary Club meeting Rayne



# Interviews:

- Paradise Louisiana Television https://www.youtube.com/watch?v=Ce88wMB e
- · Louisiana Great Outdoors with Don Dubuc Radio Show
- KPLC Lake Charles
- WAFB Baton Rouge
- WBRZ Baton Rouge

# Locations:

2017-18 Louisiana Hunting Regulations Pamphlet.

Fall/Winter 2017 Issue of Wildlife Insider (3,621 mailouts, 147 libraries)

October 2017 Louisiana Sportsman Magazine

**LDWF Offices** 

**Sporting Good Stores** 

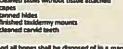
**DMAP Cooperator Mail-out** 

# ATTENTION DEER HUNTERS

New Transport and Possession Regulations for Deer Being Harvested Out-of-State

## Starting March 1, 2017

HELP PREVENT THE IMPORTATION OF CHRONIC WASTING DISEASE





Please visit the Louisiana Department of WildEfe and Fisheries website for more information, www.wlf.fa.gov



# LDWF Website & Facebook

- FAQs
- Cervid Carcass Importation Regulation
- LDWF Presentation on CWD
- CWD Comprehensive Analysis
- CWD Regulations by State/Province



WILDLIF

HUNTING

FISHING

BOATING

LAW ENFORCEMENT

PUBLIC AREAS & FACILITIES

EDUCATION

#### Deer

Seasons and Regulations

Tag Requirements

Chronic Wasting Disease

Big Game Resords

Physically Challenged Hunters

Deer Program Research and Management

Deer Management Assistance Program (DMAP)

Deer Breeding Periods

Deer Observation Log

## **Chronic Wasting Disease**

#### What is Chronic Wasting Disease (CWD)?

CWD is a neurodegenerative disease found in most deer species, including moose, elk, mute deer and white-tailed deer. It is infectious, always fatal and has no known cure. It's part of a group of diseases known as transmissible spongiform encephalopathies (TSEs) and is similar to BSE (mad cow disease) of cattle and scrapie in sheep. These diseases cause irreversible damage to brain tissue, which leads to sativation, neurological symptoms, emaciation and death of the animal CWD is a neurodegenerative disease found in most deer species, including moose, elk, mule deer and white-tailed deer. It is infectious, always fatal and there is no known cure, it's part of a group of diseases known as transmissible spongiform encephalopathies (TSEs) and is similar to BSE (mad cow disease) of cattle and scrapie in sheep. These diseases cause irreversible damage to brain tissue which leads to salivation, neurological symptoms, emaciation and death of the animal.

#### What is LDWF doing about CWD?

LDWF continues to monitor and test the state's white-tailed deer population for CWD. It has not yet been found in Louisiana, but Texas and Arkansas have documented it in their deer populations.

If CWD is discovered in Louisiana, LDWF will create a management zone, the size of which will depend on the locations and distribution of infected deer as well as the density, distribution and seasonal movements of the local deer population. There will be feeding and baiting restrictions in the management zone where the disease is found. It may be necessary to reduce and maintain a lower deer density in that area. There also will be movement restrictions placed on deer body parts. Hunters will not be able to bring a whole deer out from the management zone. They'll be restricted to deboned meat, a clean skull plate with the antiers and the cape, which is the skin of the head and shoulders. Any deer harvested within the management zone will be tested. LDWF will maintain intensive surveillance in the management zone for an indefinite period of time.

#### Cervid Carcass Importation Regulation

Effective March 1, 2017, no person shall import, transport or possess any cervid carcass or part of a cervid carcass originating outside of Louisiana, except:

- Meat that is cut and wrapped
  - Meat that has been boned out
  - Quarters or other portions of meat with no part of the spinal column or head attached Antiers
- Clean skull plates with antiers
- Cleaned skulls without tissue attached
- Capes



#### Additional information about CWD

Cerved Carcass Importation Regulation

LDWF Presentation on CWD

CWD Comprehensive Analysis

CWD Regulations by State/Province



LOUISIANA DEPARTMENT OF WILDLIFE AND PIEMERS

PO BOX 92023 2000 DUAL DRIVE SATON ROUGE, LA 70393 635.256.2749

About Us

West the Executive Staff Lockers Conservatores

White and Papertes Commission COST Task Force

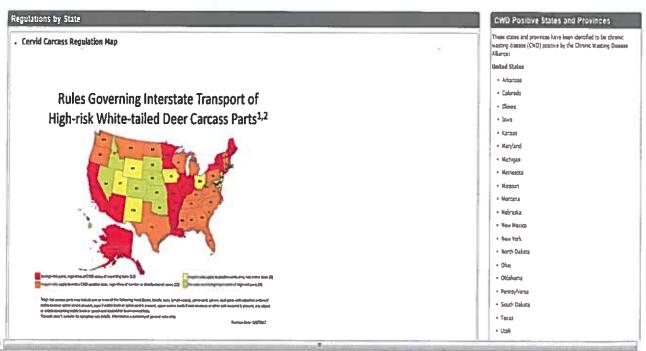
**Oyster Task Force** Strong Task Porce Alligator Advisory Council СВ БрВ Лекропае

Betrange Community Restry: Deposit Fabrige Boatry: Examing Geologic Advisor About . Contacts News . Blog Careers . Str

#### Hunting > Cervid Carcass Regulations

#### **Cervid Carcass Importation and Exportation Regulations**

Person's a hardest that an extension of the Control of the Control



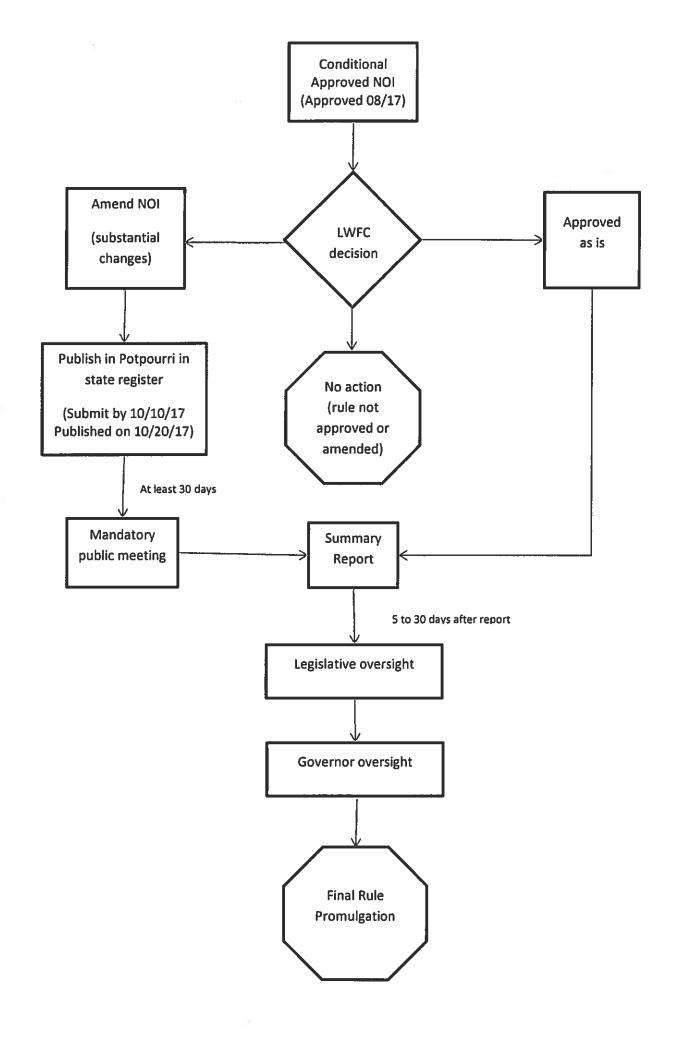
#### **OVERVIEW OF STERLET STURGEON ISSUE**

At the August Commission meeting, action was taken to allow the Sterlet Sturgeon NOI to be published and receive public comment with the condition that the NOI would be brought back to the Commission for final action. During the October meeting, there will be two presentations on this issue as requested by the Commission at the August meeting. The company requesting that Sterlet Sturgeon be added to the Domesticated Aquatic Organism (DAO) list will provide a presentation on their operation. LDWF will present a summary of the public comments received and additional information on the recommendations of the review panel that initially reviewed the request.

LDWF will request that the Commission take action on the NOI. Actions available to the Commission are as follows:

- 1. Approve the NOI as it is currently written for final rule Approving the NOI for final rule as it is currently written will push it to legislative oversight. If there are no changes by legislative oversight the final rule will be published without additional Commission action.
- 2. Approve the NOI with edits Should edits be made to the NOI, either by legislative oversight or the Commission, we will have to republish in the register through a Potpourri and go through an additional 30 days of public comment and a mandatory public hearing.
- 3. Reject the NOI if the NOI is rejected no further action is needed and Sterlet Sturgeon will not be added to the DAO list.

A flow chart is provided below to illustrate the above process.





# Receive public comment on the NOI to add Sterlet Sturgeon as a Domesticated Aquatic Organism and Consider Proceeding with Final Rulemaking.

Robert P Bourgeois LDWF Fisheries Permit Manager October 5, 2017

# **Adding Domesticated Aquatic Organisms**

- 1. Applicant contacts the Department and provides details as to the biology of species, sources of broodstock, location of the facility and the design and operation of the facility.
- 2. A Review Panel is then formed consisting of LDWF Biologists and external experts on that species.
- 3. The review panel reviews the applicants information as well as any relevant information. They will consider approving that species by evaluating the potential negative risks the new species may have on any native species, their habitats and human health.
- 4. The Panel may consider mitigation measures to reduce that risk.
- 5. The Panel will then make a recommendation to the Asst.
  Secretary and Secretary who then can make a formal request to the commission to have the species added to the Approved Domesticated Aquatic Species list.



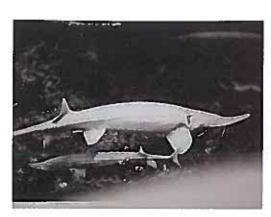
## Sterlet Sturgeon (Acipenser ruthenus)

- Native Range: rivers draining to the Black, Avoz and Caspian Seas and Siberian Rivers from the Ob to the Yenisei
- Introduced throughout Europe
  - · backyard ponds, aquaculture escapes, intentional stocking
- International Trade restricted ( CITES II); IUCN status
   Vulnerable
  - Largely due to habitat destruction and illegal trade of caviar
- Currently in aquaculture in Florida source for current request
- Caviar is the main use of this fish, however there is a developing market for smoked meat products.
- Fish can live up to 25 years one of the slowest growing sturgeons



# What's potentially at risk?

Louisiana native Sturgeons and Paddlefish Pallid sturgeons Shovelnose sturgeons Gulf sturgeons Paddlefish



Pallid(top); shovelnose(bottom) at Aquarium of the Americas



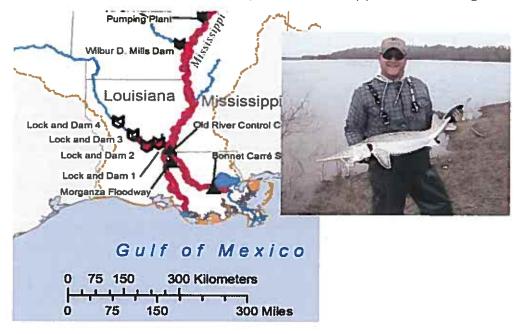
Juvenile Paddlefish waiting on tags at hatchery



## Louisiana native Sturgeons

Pallid Sturgeon(Scaphirhynchus albus)

- Currently listed as endangered
- Habitat in LA- Red, Atchafalaya and Mississippi River drainages





# Louisiana native Sturgeons

**Shovelnose Sturgeon**(*Scaphirhynchus platorynchus*)

- Currently listed as threatened
- Habitat in LA- Red, Atchafalaya and Mississippi River drainages
- Similar in appearance and habitat as Pallid sturgeon





Pallid (left); shovelnose (right)

# **Louisiana native Sturgeons**

Gulf sturgeon (Acipenser oxyrinchus desotoi)

- Currently listed as threatened
- Habitat in LA- Pearl River, Bogue Chitto River, Florida parish rivers, Lake Pontchartrain, Lake Borgne, and Chandeleur Sound







## **Paddlefish**

American paddlefish (Polyodon spathula)

- Was listed as state threatened, but through restoration programs the population is stable and a limited recreational fishery is allowed
- Habitat in LA: statewide







## Louisiana native Sturgeons and paddlefish

#### Main threats to native sturgeons

- Habitat loss-reduction in nesting and foraging habitats
- · Human impacts in shipping and flood control
- Overutilization by commercial and recreational fisheriesincluding illegal activities
- Disease and parasites
- Inadequate enforcement especially nonnative species regulations

 Other natural or manmade factors include hybridization and impacts from non natives



# **Review Panels Findings on Sterlet sturgeon**

# Panel recommended AGAINST allowing sterlet into LA aquaculture:

- 1. Impacts on Native species- 3 species of sturgeon occur in LA
  - Impacts from direct competition for food resources
  - Impacts from direct competition for nesting resources
  - Impacts from hybridization with native sturgeons
  - Impacts from potential disease and parasites (some are not detectable from casual examinations)
- 2. Impacts on Native habitats
  - Nesting resources will be limited for native sturgeon
- 3. No effects to human health for sterlet aquaculture



## **Review Panels Findings on Sterlet sturgeon**

#### Other considerations:

- LDWF and Federal partners have spent over 1.5 Million Dollars on the restoration of native sturgeon. An escape can have an impact on LDWF's future sturgeon restoration as well as result in fines from USWFS if native sturgeon are killed. The restoration plan for Pallid sturgeon in the US is estimated to take over 30 years and over \$200 million involving over 20 state and Federal agencies.
- Possible increase in illegal caviar trade or illegal harvest of native sturgeons. This was brought up by USFWS early in the review process. Biggest problem is that its difficult to determine if caviar is from a native sturgeon or from an nonnative sturgeon.



# **Review Panels Findings on Sterlet sturgeon**

#### Other considerations:

- LDWF has historically exercised caution to ensure there is no genetic impact to wild fish stocks from nonnative genetics.
   LDWF agreed to this in native sturgeon restoration plans as well as aquaculture.
- 4. The State legislature put rules in place to protect native species from nonnative impacts that established this process.

LA R.S. 56:411: SUBPART C. DOMESTIC FISH FARMING

A. The legislature hereby recognizes that the production of aquatic organisms in private facilities in Louisiana significantly contributes to the vitality of Louisiana's economy. Additionally, as stated in R.S. 56:360.2 and 360.3, the legislature also recognizes that the introduction of nonnative aquatic organisms for the purpose of aquaculture may pose a real threat to Louisiana's native species and their environments.



# **Public Comment – In Support**

We did not receive any public comment that was in support of adding Sterlet to the DAO list or establishing a Sterlet Sturgeon permit.



# **Public Comment - Against**

#### 1. Southeastern Fishes Council

- introduction of non natives impacts many fisheries
- hybridization issue with natives
- economic benefit a only small set of individuals while
   risking native fish in LA and beyond

"Despite the fact that measures will be put in place to minimize the possibility of escape, we feel that the risk to reward ratio is too great."



## **Public Comment - Against**

#### 2. USWFS-SE Region

- hybridization issue with natives
- Executive Order 13112-policy of US to prevent introduction, establishment or spread of invasive species.
- difficulty in identifying caviar and could allow a black market trade to develop of illegal native caviar

"Given these circumstances and the very credible probability that if the Sterlet species ever inadvertently released into drainages that are within the historic range of the native sturgeons these fish would survive and recruit and have the opportunity and ability to hybridize with native fish."

# **Public Comment - Against**

#### 3. USWFS-Mountain-Prairie Region

- interbreeding with natives
- direct competition with natives for resources
- difficulty in distinguishing captive source caviar and wild harvest caviar without forensic testing

"Every year despite measures taken to reduce risk of escapement, there are instances of non-native fish species accidentally or deliberately being released into our nation's waters."





## **Public Comment - Against**

#### 4. USWFS-Midwest Region

- hybridization issue with natives Lake Sturgeon included in addition to the others. Lake Sturgeon are being restored to the MS River.
- They also recommend a modification to the permit rules of not allowing sterlet within the Mississippi River Basin which would include the proposed sterlet culture location.

"The potential risks of Sterlet Sturgeon to the conservation and recovery of native sturgeon populations far exceed the potential financial benefits of a few individuals that may benefit from the development of additional non-native aquaculture business in Louisiana."



#### 5. Louisiana Wildlife Federation

- endanger Louisiana's native sturgeon through hybridization and competition
- join the list of nonnatives species impacting

"These are too many examples of negative outcomes when introducing a nonnative species for LWF to be assured that the benefits of introducing sterlet sturgeon for commercial aquaculture outweighs the potential costs to Louisiana's natural resources."

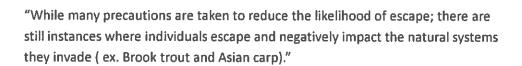




# **Public Comment - Against**

#### 6. American Fisheries Society -Louisiana Chapter

- endanger Louisiana's native sturgeon through hybridization
- competition for resources with native species





# **Proposed Sterlet Sturgeon Permit Restrictions**

- 1. No Sterlet Sturgeon farms East of the Mississippi River
- 2. Facility must be located 1 foot above the 100 year flood plain
- 3. Approved contingency plan for the disposal of fish in event of natural disaster (such as flood) threatening the facility
- 4. Biosecurity plan that stops release through theft or vandalism
- 5. A one million dollar performance bond available to the Department to be used to contain or remediate any incidents of escape
- 6. All fish must be tagged with tags approved by LDWF
- 7. Indoor recirculating system with filters to prevent eggs and larval release
- 8. Inspections of the facility by LDWF biologists
- 9. No transfer of live sterlet out of state.
- 10. No artificial fertilization or breeding of sterlet within LA



# **Questions?**







5 September 2017

Mr. Robert Bourgeois Fisheries Permit Manager, Office of Fisheries, ANNEX35 2000 Quail Drive, Baton Rouge, LA 70808

Re: Sterlet Sturgeon Aquaculture

Mr. Bourgeois:

The Southeastern Fishes Council is a non-profit scientific organization that consists of academics, resource managers and biologists, and students who are all dedicated to the study and conservation of freshwater and coastal fishes of the southeastern United States. The southeastern region includes the greatest global biodiversity of temperate freshwater fishes, and has well over one-half of all species found in North America.

It is come of our attention (Notice of Intent, August 4, 2017) that a permit application has been submitted to add the Sterlet Sturgeon to Louisiana's approved aquaculture list for the sole purpose of meat and caviar production. The Southeastern Fishes Council strongly opposes approval of this permit for the following reasons.

First, the introduction of non-native species is a major problem throughout the United States and many of the introduced species are escapees from aquaculture facilities. Despite the fact that measures to minimize or prevent escape are put into place, fish still seem to escape. Louisiana possess a vast network of interconnected waterways that could easily facilitate dispersal of escapees. Furthermore, there are numerous examples of non-native escapes from aquaculture facilities, including many species that have negatively impacted aquatic ecosystems in the United States (i.e. Silver and Bighead Carp, Northern Snakehead).

Second, hybridization between native and non-native fishes is a potential problem. Three sturgeon species occur in Louisiana including, two species of *Scaphirhynchus* and one species of *Acipenser*. Some studies already have documented natural hybridization in the wild between the Shovelnose Sturgeon (*Scaphirhynchus platorynchus*) and the federally protected Pallid Sturgeon (*Scaphirhynchus albus*). Others studies have detected hybridization between native Sterlet Sturgeon (*Acipenser ruthenus*) and aquaculture escapees of the Siberian Sturgeon (*Acipenser baerii*) (Ludwig et al 2008, First evidence of hybridization between endangered sterlets (*Acipenser ruthenus*) and exotic Siberian sturgeons (*Acipenser baerii*) in the Danube River, Biological Invasions 11:753-760). The fact that the Sterlet Sturgeon is known to hybridize with other sturgeon species suggests that escaped Sterlet Sturgeon could pose a serious threat to Louisiana's native species, including the two federally protected sturgeon species.

Finally, approval of the requested aquaculture permit will economically benefit a small number of individuals, but could negatively impact the native fishes of Louisiana and beyond. Despite the fact that

measures will be put into place to minimize the possibility of escape, we feel that the risk to reward ratio is too great.

The Southeastern Fishes Council strongly recommends denial of the Sterlet Sturgeon aquaculture permit.

Kyle R. Piller, PhD

Chair, Southeastern Fishes Council

kyle.piller@southeastern.edu

985-549-2191



## United States Department of the Interior

FISH AND WILDLIFE SERVICE 1875 Century Boulevard Atlanta, Georgia 30345

In Reply ReferTo: FWS/R4/FAC

Mr. Robert Bourgeois
Fisheries Permit Manager
Office of Fisheries
ANNEX35
2000 Quail Drive
Baton Rouge, Louisiana 70808

Re: Proposed addition of Sterlet sturgeon to Louisiana's approved aquaculture list.

Dear Mr. Bourgeois:

We are responding to the Notice of Intent published August 4, 2017, whereby the Louisiana Wildlife and Fisheries Commission has received a request to modify rules and regulations for approved Domestic Aquatic Organisms to include a non-native species of fish, the Steriet sturgeon (Acipenser ruthenus), for aquaculture purposes including processing for meat and caviar.

The introduction of any non-native species is always a concern, more so in this case, when the request for introduction into an aquaculture facility occurs in drainages that incorporate the native ranges of the federally protected pallid sturgeon (Scaphirhynchus pallidus) and shovelnose sturgeon (Scaphirhynchus platorynchus). There is strong evidence from sturgeon hybridization studies: (Schrey, Aaron W., R. Boley, E. Heist. 2011. Hybridization between pallid sturgeon (Scaphirhynchus a/bus) and shovelnose sturgeon (Scaphirhynchus platorynchus) in Journal of Fish Biology 79(7):1828-50) documenting interbreeding between the 2 native species. This would suggest there is strong potential for Sterlet interbreeding with native populations. Executive Order 13112 - Safeguarding the Nation from the Impacts of Invasive Species; Section 1. Policy states: It is the policy of the United States to prevent the introduction, establishment, and spread of invasive species, as well as to eradicate and control populations of invasive species that are established. Invasive species pose threats to prosperity, security, and quality of life. They have negative impacts on the environment and natural resources, agriculture and food production systems, water resources, human, animal and plant health, infrastructure, the economy, energy cultural resources, and military readiness. Every year, invasive species cost the United States billions of dollars in economic losses and other damages.

Another issue is the challenge for enforcement with regard to the caviar trade and the difficulty of distinguishing captive Sterlet caviar from any wild sturgeon caviar that may be illegally harvested, without forensic testing.

Given these circumstances and the very credible probability that if the Sterlet species was ever inadvertently released into drainages that are within the historic range of the native sturgeons, these fish would survive and recruit and have the opportunity and ability to hybridize with native fish.

Due to the issues involved with allowing the importation of a non-native species into ranges where the likelihood of impacts to native species is great, the Fish and Wildlife's position is to strongly recommend that this permit request be denied.

Sincerely,

Allan Brown

**Assistant Regional Director** 

Fish and Aquatic Conservation Program

FWS/Southeast Region

Alland Bion



IN REPLY RECERTO FWS/R6/

## United States Department of the Interior

#### FISH AND WILDLIFE SERVICE Mountain-Prairie Region

MAILING ADDRESS: Post Office Box 25486

Denver Federal Center Denver, Colorado 80225-0486

STREET LOCATION: 134 Union Boulevard Lakewood, Colorado 80228-1807



Mr. Robert Bourgeois Fisheries Permit Manager Office of Fisheries ANNEX35 2000 Quail Drive Baton Rouge, Louisiana 70808

Re: Proposed addition of Sterlet sturgeon to Louisiana's approved aquaculture list.

Dear Mr. Bourgeois:

We are addressing the Notice of Intent published August 4, 2017, whereby the Louisiana Wildlife and Fisheries Commission received a request to modify rules and regulations for approved Domestic Aquatic Organisms to include a non-native species of fish, the Sterlet sturgeon (Acipenser ruthenus), for aquaculture purposes including processing for meat and caviar.

We understand that the proposed aquaculture location is within the native ranges of the federally protected pallid sturgeon (Scaphirhynchus pallidus) and shovelnose sturgeon (Scaphirhynchus platorynchus). Every year, despite measures taken to reduce risk of escapement, there are instances of non-native fish species accidently or deliberately being released into our nation's waters. Non-native fish species frequently exhibit invasive characteristics and have negative impacts on native aquatic organisms. The Sterlet sturgeon, if released into the native range of the pallid and shovelnose sturgeon, would not only impact these species through direct competition for habitat and food resources, but likely through interpreeding. There are studies showing the propensity for other sturgeon to interbreed and hybridize (Schrey, Aaron W., R. Boley, E. Heist. 2011. Hybridization between pallid sturgeon (Scaphirhynchus a/bus) and shovelnose sturgeon (Scaphirhynchus platorynchus) in Journal of Fish Biology 79(7):1828-50).

The caviar trade is already challenging for enforcement due to the difficulty of distinguishing captive source caviar and wild harvested caviar (which may be through illegal harvest) without forensic testing.

Due to these issues we feel that allowing importation of the non-native Sterlet storgeon into ranges where the likelihood of impacts to the native species is high is not prudent. We strongly recommend that this permit request be denied.

Sincerely.

Try or Julip 9/2/17 Gregory W. Gerlich **Assistant Regional Director** 

Fish and Aquatic Conservation FWS/Mountain Prairie Region



# United States Department of the Interior

#### **FISH AND WILDLIFE SERVICE**

5600 American Boulevard West, Suite 990 Bloomington, Minnesota 55437-1458



IN REPLY REFER TO

FWS/AF

SEP 2 6 2017

Mr. Robert Bourgeois Fisheries Permit Manager Office of Fisheries ANNEX35 2000 Quail Drive Baton Rouge, Louisiana 70808

Re: Proposed addition of Sterlet Sturgeon to Louisiana's approved aquaculture list.

Dear Mr. Bourgeois:

We are responding to the Notice of Intent published August 4, 2017, whereby the Louisiana Wildlife and Fisheries Commission intends to modify rules and regulations regarding approved Domestic Aquatic Organisms to include the non-native Sterlet sturgeon (*Acipenser ruthenus*) for use in aquaculture. The stated purpose of the addition of Sterlet sturgeon to the list of approved Domestic Aquatic Organisms is to allow the development of additional non-native aquaculture business in Louisiana while providing safeguards to assist in protecting native fish species. The U.S. Fish and Wildlife Service (Service), Midwest Region Fisheries Program, recommends that the permit associated with this Notice of Intent be denied and that Sterlet sturgeon not be added to Louisiana's approved aquaculture list.

Three sturgeon species, including the Federally Endangered gulf sturgeon (Acipenser oxyrinchus desotoi) and pallid sturgeon (Scaphirhynchus albus) and the Federally Threatened shovelnose sturgeon (Scaphirhynchus platorhynchus) are native to Louisiana and could be potentially impacted by the introduction of the non-native Sterlet sturgeon. The lake sturgeon (Acipenser fulvescens) is native to the Mississippi River, Great Lakes, and Hudson River basins. Within the Mississippi River, the lake sturgeon's historic range extended south to approximately the northern border of Louisiana. The lake sturgeon has been drastically reduced or eliminated throughout most of its southern range, and is regarded as imperiled by many states within the Mississippi River Basin. Some states are actively stocking lake sturgeon as part of species recovery efforts. Based on our analysis, climate match for Sterlet sturgeon is low along the Gulf Coast, but increases northward through Louisiana and the Mississippi River Basin. Climate match is medium to high throughout much of the range of lake sturgeon.

The Service, other Federal agencies, and many states including Louisiana have invested considerable effort and financial resources into recovering native sturgeon populations. Hybridization has been

documented between pallid sturgeon and shovelnose sturgeon (Schrey et al. 2011. Hybridization between pallid sturgeon (Scaphirhynchus albus) and shovelnose sturgeon (Scaphirhynchus platorynchus). Journal of Fish Biology 79(7): 1828-50), and is considered a threat to recovery of pallid sturgeon within the sympatric range of these two species. Within its native range, hybridization was documented between the endangered Sterlet sturgeon and the non-native Siberian sturgeon (Acipenser baerii) after escape from aquaculture (Ludwig et al. 2008. First evidence of hybridization between endangered sterlets (Acipenser ruthenus) and exotic Siberian sturgeons (Acipenser baerii) in the Danube River. Biological Invasions 11:753-760). The fact that Sterlet sturgeon is known to hybridize with other Acipenser spp. increases our concern that Sterlet sturgeon could similarly hybridize with gulf sturgeon or lake sturgeon, creating a serious threat to the recovery of one or both of these native species.

The introduction of non-native species is a major problem throughout the United States, and is of particular concern within the Mississippi River drainage basin. The Mississippi River basin drains all or part of 31 states and 2 Canadian provinces and is connected to other drainage basins (e.g. Great Lakes Basin) via man-made connections. An unintentional escape of Sterlet sturgeon, including the release of fertilized eggs and larvae, could have wide-ranging impacts to native sturgeon populations far beyond Louisiana. While the proposed 'Rules and Regulations on Importation, Culture, Disposal and Sale of Sterlet Sturgeon in Louisiana' include a number of precautions to prevent the release or escape of Sterlet sturgeon, there can be no assurances that this species, like so many others before it, will not escape despite our best intentions and efforts. Hurricane Katrina and the current hurricane season are reminders of the potential forces of nature that could overcome even the best biosecurity measures and result in the unintentional movement and release of Sterlet sturgeon.

The potential risks of Sterlet sturgeon to the conservation and recovery of native sturgeon populations far exceed the potential financial benefits of the few individuals that may benefit from the development of additional non-native aquaculture business in Louisiana. It is our opinion that Sterlet sturgeon live holding facilities should not be permitted within the Mississippi River Basin, neither east nor west of the Mississippi River (see Section D. of the Notice of Intent addresses "Rules for Security of Sterlet Sturgeon Culture Facility").

Sincerely,

Todd Turner

Assistant Regional Director. Fisheries

USFWS, Midwest Region



#### LOUISIANA WILDLIFE FEDERATION

"... conserving our natural resources and your right to enjoy them since 1940 "

337 S. Acadan Hiruway, Baton Rouge, LA. 70806 P.O. Box 65239, Baton Rouge, LA. 70896-5239 Phone/f ax (225) 344-6707 www.lawrldblefed.org



September 28, 2017

Mr. Robert Bourgeois
Office of Fisheries
Louisiana Department of Wildlife and Fisheries
P.O. Box 98000
Baton Rouge, LA 70898-9000

Re: Notice of Intent: Modify rules and regulations for approved Domestic Aquatic Organisms to include sterlet sturgeon (Acipenser ruthenus)

#### Dear Mr Bourgeois:

On behalf of Louisiana Wildlife Federation, thank you for the opportunity to submit written comments to follow up on oral comments I made at the Louisiana Wildlife and Fisheries Commission meeting on August 3, 2017. Louisiana Wildlife Federation (LWF) represents 25 affiliate organizations comprising more than 7,200 members and is dedicated to the conservation of Louisiana's wildlife and natural resources. As Louisiana's oldest conservation organization, LWF has been active for decades in ensuring the public is aware of and understands the wildlife management practices needed to help protect, preserve, and conserve our natural resources.

LWF is opposed to the introduction of a non-native species that could possibly be released in the wild where it can 1) endanger Louisiana's native sturgeon species through hybridization and competition and 2) join the list of non-native, invasive species thriving in Louisiana's wild natural habitat causing ecosystem imbalance and needing public funding for control or eradication methods.

LWF does not support approval of adding starlet sturgeon (Acipenser ruthenus) to Louisiana's "Domesticated Aquatic Organism" list because it is not native to Louisiana or North America. Sterlet sturgeon is a small species of sturgeon native to areas of Europe and Asia. Sterlet sturgeon is banned in Canada. Louisiana's native sturgeon includes gulf sturgeon, which is federally listed as a threatened species, freshwater shovelnose sturgeon, and pallid sturgeon, which is federally listed as an endangered species and found in the Mississippi, Atchafalaya and Red rivers. The endangered pallid sturgeon is known to co-occur and hybridize with smaller and more abundant shovelnose sturgeon. If the sterlet sturgeon were to escape or be illegally introduced to the wild, it could have a negative effect on native populations.

The following is a partial list of the non-native flora and fauna found in Louisiana: giant salvinia, water hyacinth, hydrilla, nutria, feral hog, cycclid, apple snail, zebra mussel, Asian carp, and Chinese tallow. Millions of dollars are spent annually in Louisiana to control these invasive species and their impact on native species, recreational enjoyment and/or ecological balance.

In some cases these species were legally permitted for home gardens or ponds. Other non-native species were likely brought here by ships and other modes of transportation.

#### Page 2 - LWF letter of comment for notice of intent, sterlet sturgeon

Nutria and Asian carp are prime examples of how permitted farming or aquaculture was the original purpose of a non-native species being present in Louisiana and later, unintentionally released during a weather event, such as a flood. The recent failure of the aquaculture facility in Washington that released farmed Atlantic salmon into Pugent Sound is fresh in our minds. Non-native species released among wild species is a serious concern for its potential economic and biologic costs to our state.

While we see in the Notice of Intent the numerous restrictions prescribed for a permit to be approved and appreciate the specificity and detail, it only takes one release in a 1,000 year flood event or other unusual act of nature. Similarly it only takes one employee taking home or releasing some of this species for it to become part of Louisiana's natural landscape.

One example to consider is that of the tilapia found in canals in Plaquemines Parish and subsequently eradicated by the Louisiana Department of Wildlife and Fisheries to prevent spread of non-native tilapia where it could outcompete native sport and commercial fisheries. Another example to consider from four years ago is the federally-prosecuted case of imported captive deer brought to Louisiana. A number of the deer imported were secretly and illegally transported into Mississippi. These are just a few examples of how non-native wildlife being managed commercially have escaped or been released by people.

These are too many examples of negative outcomes when introducing a non-native species for LWF to be assured that the benefits of introducing sterlet sturgeon for commercial aquaculture outweighs the potential costs to Louisiana's natural resources.

Sincerely,

Rebecca Triche
Executive Director



28 September 2017

Robert Bourgeois
Fisheries Permit Manager
Louisiana Department of Wildlife and Fisheries
2000 Quail Drive
Baton Rouge, LA 70808

Robert Bourgeois,

The American Fisheries Society is the world's oldest and largest organization dedicated to fisheries professionals, advancing fisheries scientists, and conserving fisheries resources. The mission of the AFS is to: "Improve the conservation of the and sustainability of fishery resources and aquatic ecosystems by advancing fisheries and aquatic science and promoting the development of fisheries professionals."

The Louisiana Chapter the American Fisheries Society is a state-based non-profit division of the larger AFS and contains members from academia, state/federal agencies, and various non-governmental organizations. Although the Executive Committee and Policy Committee for the Louisiana was unable to survey members for a formal response to the current petition for Sterlet Sturgeon (Acipenser ruthenus) the Executive Committee feels very strongly that a statement should be made.

It is the position of the Executive Committee of the Louisiana chapter of the American Fisheries Society that aquaculture be limited to local species. While many precautions are taken to reduce the likelihood of escape; there are still instances where individuals escape and negatively impact the natural systems they invade (examples: Brook trout and Asian carp). Specific potential threats associated with the aquaculture of Sterlet Sturgeon are as follows: 1.) potential hybridization with native Sturgeon species, and 2.) competition for resources with local native species.

The Executive Committee of the LA AFS strongly recommends that LDWF deny the currently proposed aquaculture permit for Sterlet Sturgeon

Christopher C. Green, PhD

President, Louisiana Chapter of the American Fisheries Society

ccgree@gmail.com (225) 226-0572

#### NOTICE OF INTENT

#### Department of Wildlife and Fisheries

#### Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission hereby advertises its intent to modify rules and regulations regarding approved Domestic Aquatic Organisms (R.S. 56:411). The proposed changes add a species of sturgeon to Domesticated Aquatic Organisms that are approved for use in aquaculture. This will allow the development of additional non-native aquaculture business in Louisiana while providing safeguards to assist in protecting native fish species.

#### Title 76

#### Wildlife and Fisheries

#### Part VII Fish and Other Aquatic life

#### Chapter 9 Aquaculture

#### §905. Domesticated Aquatic Organisms

- A. Procedures for Approving a New Species of Domesticated Aquatic Organism
  - 1. 6. ...
- B. The following is a list of "Domesticated Aquatic Organisms" approved for use in aquaculture:
  - 1. 20. ...

#### 21. Sterlet Sturgeon (Acipenser ruthenus) see LAC 76:VII.909

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:327.A.(2) and R.S. 56.411.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 34:2679 (December 2008), amended LR 35:1139 (June 2009), repromulgated LR 35:1263 (July 2009).

#### §909. Sterlet Sturgeon

A. Rules and Regulations on Importation, Culture, Disposal and Sale of Sterlet Sturgeon in Louisiana. The following terms shall have the following meanings in this Section.

<u>Culture—all activities associated with the rearing and nurturing of Sterlet Sturgeon.</u>

<u>Culture System</u>—shall be an approved recirculating indoor system designed such that all water containing, or that at any time might contain, Sterlet Sturgeon (adult fish, juvenile fish, fingerlings) is filtered, screened and/or sterilized in such a manner as the department deems adequate to prevent any possibility of escape from the system.

<u>Department</u>—the Louisiana Department of Wildlife and Fisheries or an authorized employee of the department.

<u>Disposal</u>—the business of processing, selling, or purposely removing Sterlet Sturgeon from the culture system.

<u>Permittee</u>—the individual or organization that possesses a valid Louisiana Sterlet Sturgeon permit.

<u>Process</u>—the act of killing Sterlet Sturgeon, and proper disposal of Sterlet Sturgeon in such manner as the department deems necessary to prevent any possibility of accidental release of live fish.

Secretary—the Secretary of the Department of Wildlife and Fisheries.

<u>Sterlet Sturgeon</u>— pure strain of fish (adult fish, juvenile fish, fingerlings), belonging to the species <u>Acipenser ruthenus</u>.

<u>Sterlet Sturgeon Permit</u>—official document pertaining to culture of Sterlet Sturgeon, and allows for the importation, exportation, transport, culture, possession, disposal, transfer and sale of Sterlet Sturgeon in Louisiana as approved by the Secretary or his designee.

B. Sterlet Sturgeon Permit Request Procedures

1. Individuals or organizations wishing to import, export, transport, culture, dispose, or transfer live Sterlet Sturgeon in Louisiana must first request a Sterlet Sturgeon permit from the Secretary or his designee of the Department of Wildlife and Fisheries. A separate permit will be required for each facility or location. The following procedures will be necessary.

a. Applications for permits can be obtained by contacting the:

Louisiana Department of Wildlife and Fisheries

Fisheries Permit Manager

P.O. Box 98000

Baton Rouge, LA 70898-9000.

b. The completed applications should be returned to the same address whereby Office of Fisheries personnel will review the application. Department personnel or a department approved contractor, at the applicant's expense, will then make an on-site inspection of the property and culture system.

c. After the on-site inspection has been completed, department personnel will make a final determination as to whether the applicant is in full compliance with all rules for a Sterlet Sturgeon permit. Department personnel will then recommend to the secretary or his designee if the applicant's request should be approved or disapproved.

d. The secretary or his designee will notify the applicant, in writing, as to whether or not the permit has been granted and if not, why. In the event of disapproval, applicants may reapply after correcting specified deficiencies noted in the secretary's or his designee's letter of denial.

#### C. Rules on Transport of Live Sterlet Sturgeon

- 1. Export of Live Sterlet Sturgeon will not be allowed for Louisiana Sterlet Sturgeon

  Permit holders.
- 2. For each occurrence of live Sterlet Sturgeon being imported into Louisiana from out of state, or live transfer within the state, the permittee must obtain, in writing, approval from the

<u>department.</u> These requests shall be made 3 business days before the expected date of shipment.

Procedures and necessary information for obtaining approval are:

a. requests shall be made to either via email to the Designated departmental contact or via mail:

Louisiana Department of Wildlife and Fisheries

Fisheries Permit Manager

P.O. Box 98000

Baton Rouge, LA 70898-9000.

b. requests shall include:

i. Louisiana Sterlet Sturgeon permit number,

ii. route of transport;

iii. date of transport;

iv. time(s) of transport;

v. destination;

vi. owner of transport vehicle;

vii. species certification made within the past 30 days identifying

shipped stock to species;

viii. total number of Sterlet Sturgeon;

ix. identification of seller and buyer and any permit numbers from the jurisdiction of origin through to the jurisdiction of destination.

3. A bill of lading must accompany the live Sterlet Sturgeon during import, transport, transfer or sale and shall include:

a. copy of the permittee's written approval as described in LAC 76:VII.909.C.2. above;

b. date and approximate time of shipment;

c. route of shipment;

- d. source of Sterlet Sturgeon;
- e. name, address and phone number of seller,
- f. name, address and phone number of buyer;
- g. identification and certification as to species;
- h. total number of Sterlet Sturgeon;
- i. destination;
- j. the source must provide certificate of health from a veterinarian or other certified expert stating that Sterlet Sturgeon are not showing signs of diseases;
- k. display the words "STERLET" prominently on at least two sides of the vehicle or hauling tank with letters that are no less than 6 inches high.
  - D. Rules for Security of Sterlet Sturgeon Culture Facility
    - 1. Sterlet Live holding facilities will not be permitted east of the Mississippi River.
- 2. Applicant must demonstrate to the satisfaction of department officials that adequate security measures are in place at the live holding facility that will guard against vandalism and theft of Sterlet Sturgeon.
- 3. Any changes or modification of a permitted security system must first have the approval of department officials.
- 4. The department will have just cause to revoke a Sterlet Sturgeon permit for lapses in security if:
  - a. the permittee is found to be in noncompliance with Paragraphs 1 and 2 above;
- b. the permittee is determined to be derelict in maintaining the security measures that were approved for the permit;
- c. failure to take appropriate measures when vandalism, theft, or accidental release of fish occurs.

- 4. It shall be the responsibility of the permittee to immediately notify the Secretary or his designee of any Sterlet Sturgeon that leave the facility for any reason other than those specifically identified and allowed for under their current permit, including but not limited to accidental releases due to weather related events, vandalism, failure of facilities or structure and theft.
- 5. It shall be the responsibility of the permittee to have at least one individual who is familiar with the live holder system readily available for emergencies and inspections, both announced and unannounced.
  - E. Rules of Sterlet Sturgeon Culture Site
- 1. A legal description of the Sterlet Sturgeon live holding facility site that shows ownership must be submitted along with the permit request.
- 2. The applicant must agree to allow department officials or a department approved contractor, at the applicant's expense, to conduct unannounced random inspections of the transport vehicle, property culture system, and fish. Department officials may request other officials to accompany them during these inspections. Additionally, those individuals performing these inspections may remove or take fish samples for analysis and/or inspection.
- 3. All aspects of the Sterlet Sturgeon culture facility must be at least 1 foot above the 100year flood elevation. Additionally, the department may require a surface hydrological assessment of the proposed site at permittee's expense.
- 4. The department will require an approved live holding contingency plan for disposal of live Sterlet Sturgeon in the event of impending flooding or other natural disasters.
  - 5. All Sterlet Sturgeon shall be tagged with a Departmental approved non-removable tag.F. Rules for the Sterlet Sturgeon Culture System
- 1. Applicant must provide a detailed narrative description, including scale drawings, of the Sterlet Sturgeon culture system.

- 2. The Sterlet Sturgeon culture system shall be an approved indoor recirculating system designed such that Sterlet Sturgeon eggs, larvae, fingerlings, juveniles or adults cannot escape.
- 3. All water utilized in the culture of Sterlet Sturgeon shall be accounted for and shall be filtered, screened, and/or sterilized prior to leaving the live holding system and the permittee's property in such a manner as the department deems adequate to prevent any possibility of escape from the system.
- 4. All aspects of the Sterlet Sturgeon culture system and processing shall be completely enclosed so that predation from birds, mammals, amphibians, and reptiles is precluded.
- 5. A means to dispose of Sterlet Sturgeon through chlorination, desiccation, or other appropriate methods, in the event of an emergency must be included as a component of any department-approved live-holding system.
- 6. One or more persons responsible for the operation of the live holding system must demonstrate to the department's satisfaction a basic knowledge and understanding of the culture, rearing (care and feeding), biology, and potential local ecological impacts of Sterlet Sturgeon.
  - G. Rules for the Processing of Sterlet Sturgeon
- 1. All Sterlet Sturgeon and Sterlet Sturgeon parts other than live Sterlet Sturgeon
  specifically permitted by the department must be killed and properly processed prior to leaving
  the Sterlet Sturgeon culture facility. At no time will live sterlet be allowed to be moved within
  Louisiana without expressed approval of the Department. No live sterlet shall be sold or
  transferred to any party from either within Louisiana or outside of Louisiana from Louisiana
  Sterlet Sturgeon Permitees.
- 2. Records shall be kept of all Sterlet Sturgeon processed at a culture facility and shall include the following information:
  - a. source of fish;
  - b. processed pounds of both meat and caviar

- c. date processed.
- 3. A copy of this information shall be sent to the department's Baton Rouge office at the end of each year, or at any time upon the request of department officials.

#### H. General Rules for Sterlet Sturgeon

- 1. The cost of a Sterlet Sturgeon live holding permit shall be \$250, plus the actual cost of the on-site inspection. Qualified universities conducting research approved by the department shall be exempt from the fee charge.
  - 2. In order for the permit to be valid, the following licenses are required as a prerequisite:
    - a. Domesticated Aquatic Organism License;
    - b. Wholesale/Retail Dealers license or a Retail Dealer's license
  - 3. Permits are valid for 12 months and expire December 31 every year.
  - 4. Permits are not transferable from person to person, or property to property.
  - 5. Live Sterlet Sturgeon shall not be sold from a Louisiana Sterlet Sturgeon Permitee.
- 6. No breeding or artificial fertilization of Sterlet Sturgeon or sterlet hybrids are allowed in Louisiana.
- 7. No person may release live Sterlet Sturgeon, fish or eggs, into the waters of Louisiana (whether public or private).
- 8. Permittee must agree to collect and provide an adequate number of Sterlet Sturgeon to the department or a department-approved contractor upon request for identification and analysis, at the permittee's expense.
- 9. The only sturgeon allowed in commercial aquaculture under the Louisiana Sterlet Sturgeon permit is Acipenser ruthenus. No Sterlet Sturgeon hybrids are allowed.
- 10. Sterlet Sturgeon Permitees shall be required to submit an annual report to the Secretary or his designee on a form provided by the department.

- 11. The department may employ whatever means it deems necessary to prevent the release or escapement of Sterlet Sturgeon or their eggs into the environment. The permittee shall agree to reimburse the department for all costs including, but not limited to, man hours and materials utilized during corrective actions.
- 12. The department shall review all escape incidents and may implement or require to be implemented whatever measures deemed necessary to contain, kill or recapture fish. The permittee shall agree to reimburse the Department of Wildlife and Fisheries for all department costs including, but not limited to, man hours and materials utilized during these corrective actions. In order to assure the Secretary that the permittee will fulfill their financial obligations, the Sterlet Sturgeon Permitee shall, post a \$1,000,000 performance bond, or present a letter of credit from a financial institution stating that the \$1,000,000 is available to the department on a certificate of deposit.
- 13. If a permittee terminates Sterlet Sturgeon culture, the permittee shall notify the Secretary or his designee immediately and dispose of the Sterlet Sturgeon according to methods approved by the department.
- 14. In addition to all other legal remedies, including provisions of R.S. 56:319.E, failure to comply with any of the provisions herein shall be just cause to immediately suspend and/or revoke the permittee's permit. All Sterlet Sturgeon shall be destroyed at permittee's expense under the department's supervision within 30 days of permit revocation.
- 15. Any permittee allegedly in violation of the above rules has a right to make a written response of the alleged violation(s) to the Secretary requesting a hearing to review the alleged violation(s) within five days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:318, R.S. 56:319, R.S. 411, and R.S. 412.

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the

Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its

Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent

will have no impact on the six criteria set out at R.S. 49:972(B).

**Poverty Impact Statement** 

The proposed rulemaking will have no impact on poverty as described in R.S.49:973.

**Provider Impact Statement** 

This Rule has no known impact on providers as described in HCR 170 of 2014.

**Public Comments** 

Interested persons may submit written comments relative to the proposed rule to Mr.

Robert Bourgeois, Office of Fisheries, Department of Wildlife and Fisheries, Box 98000, Baton

Rouge, LA 70898-9000, prior to Friday, September 29, 2017.

Chad J Courville

Date: August 3, 2017



#### Notice of Intent on Changes to the Blue Crab Harvest

Peyton Cagle | Louisiana Wildlife and Fisheries Commission | October 5, 2017

### **Overview**

# In 2014 the LWFC established a harvest control rule pertaining to blue crabs

- LDWF would be required to take action if the following conditions were experienced
  - If the fishing mortality or exploitable biomass exceed the overfished or overfishing limits
  - If the fishing mortality or exploitable biomass exceed the targets for three consecutive years.

#### Based on results of the 2016 assessment:

- Louisiana blue crab stock is currently overfished
- · Blue crab was overfished in 2013.
- In 2014 and 2012 fishing mortality rate estimates exceeded their targets



# **Existing Regulations for Harvest Seasons 2017-2019**

# The restrictions on the harvest of blue crabs implemented by LWFC currently states:

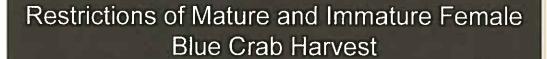
- Commercial harvest of blue crabs and the use of all crab traps are prohibited for a thirty day period beginning on the third Monday in February (historically a low period in harvest)
- The harvest of immature female blue crabs will be restricted to only those immature blue crabs in the premolt stage.



- The original 30 day closure of the entire fishery was found to have a negative affect on the price and market share of blue crabs.
- Fishermen were also impacted negatively due to lower dockside prices as the market became flooded immediately after the season was reopened.
- Biologically we will not know the impact of the 2017 closure until the completion of the 2017 harvest season.
- A positive aspect of the 30 day closure was that a total of 5,674 derelict crab traps were removed across the state.









Following the closure in 2017, the LCTF received numerous objections from commercial fishermen, processors, and other stakeholders. As a result of these concerns LCTF expressed a desire for an alternate management tool.

## Proposed Changes in 2018 and 2019

- LDWF will not close the commercial harvest of blue crabs for 30 days starting the third Monday in February
- Instead, the commercial harvest of mature female blue crabs will be prohibited during the months of March and April.



- The proposed rule change will be in effect for the 2018 and 2019 commercial harvest seasons.
- After two years of restrictions, LDWF will reassess the stock.
- After reviewing an updated stock assessment, LDWF will determine if future restrictions are needed.



## **Exceptions in the Proposed Changes**

- · Premolt crabs are allowed.
- No more than 2% of entire catch can be female.
- Crabs in a work box shall not be subject to the female restriction while held aboard the vessel and the fisherman is actively fishing.



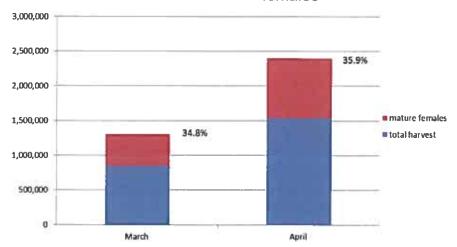
# Projected Impacts from the Proposed Changes

- Reduce market fluctuation.
- Allow a 12 month harvest (excluding females in March and April)
- Result to a near zero revenue change since the 30 day closure is eliminated
- Increase the female blue crab stock by protecting them during mating and near spawning times.



## 30 Day Closure VS 2 Month Harvest Restriction

- Limited February to 55% days to harvest
- Limited March to 45% days to harvest
- Reduced harvest during 30 days by roughly 1.3 million pounds
- Shows an estimated reduction of roughly 35% of total landings
- Reduction in landings is spread over 60 days
- Reduction in harvest is still roughly 1.3 million pounds
- All lost harvest will be females





# Questions?

Special Thanks To:

Jack Isaacs Jeff Marx

**Contact Information** 

Peyton Cagle Crustacean Program Manager (337)491-2575 ext. 3017 peyton.cagle@la.gov





## DERELICT CRAB TRAP REMOVAL PROGRAM AND 2018 RECOMMENDATIONS

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

October 5, 2017 Baton Rouge, LA

## LA Blue Crab Fishery

- LA averages above 40 million pounds landed per year since 1997
- 2001 survey showed most commercial crab fishermen use between 200-300 traps
- In 2016, over 3,700 commercial license sales with 1,528 reporting landings
- Estimating 250 traps per active fishermen, approximately 382,000 traps in use during 2016



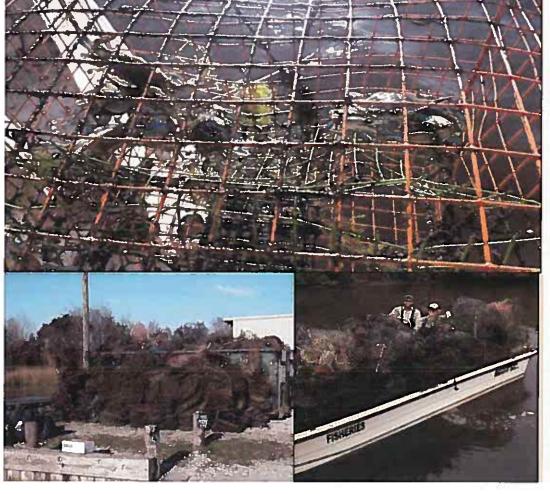




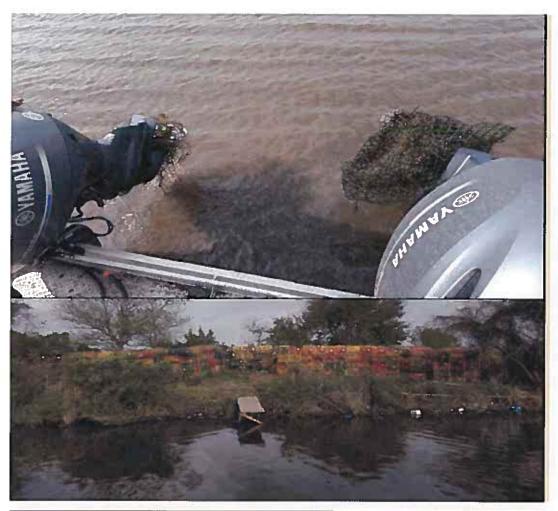
## 2004 -2017 Trap Cleanup Results

		-	
Year	Area(s)	Traps	Boat-days
2004	2	6,894	90+
2005	4	4,623	50+
2006	1	2,935	31+
2007	2	1,495	15
2008	1	1,234	3
2009	1	788	NA
2010	1	477	NA
2011	1	1,100	NA
2012	2	2,798	66
2013	2	969	32
2014	1	1,051	24
2015	1	422	9
2016	3	2,580	50+
2017	6	5,674	68
Total	28	33,040	438+











# Derelict Crab Trap Removal Program Legislation (LA R.S. 56:332)

## Commission to designate:

- Area of trap closure
- Who will pick traps up
- Disposal sites
- Dates of trap closure





## **Authorized Dates:**

- Winter up to 16 days between Feb 1– Mar 31
- Spring up to 14 days in conjunction with inshore shrimp season opening

# 2018 Closure in Barataria Basin 2/1/18-2/14/18





# 2018 Closure in W. Lake Pontchartrain Basin 2/1/18-2/10/18





# 2018 Closure in Sabine Basin 2/16/18-2/25/18





# 2<sup>nd</sup> 2018 Closure in Pontchartrain Basin 2/16/18-3/3/18





# 3<sup>rd</sup> 2018 Closure in Pontchartrain Basin 3/4/18-3/19/18





# 2018 Closure in Terrebonne Basin 3/16/18-3/29/18





# 2018 Closure in Vermilion-Teche Basin 3/18/18-3/31/18





## **Things To Remember**

- Remaining traps are considered abandoned
- LDWF or those designated may retrieve traps
- Traps may be removed between ½ hr before sunrise to ½ hr after sunset
- Traps must be brought to designated disposal sites
- Traps cannot be possessed outside of closure area



# QUESTIONS?





## Louisiana's 2017 Recreational Red Snapper Season Update

#### Wildlife and Fisheries Commission

Baton Rouge, LA October 5, 2017

## 2017 Red Snapper Allocations

	GULF	LOUISIANA	
2017 ABC =	13,740,000		
Commercial ACL =	7,007,000		
Recreational ACL =	6,733,000	1,045,887	15.5%
For-Hire ACL =	2,848,000	330,290	
For-Hire ACT =	2,278,000		
Private ACL =	3,885,000	715,171	
Private ACT =	3,108,000		
Overage =	129,906	1,094	
Private Adjusted ACL =	3,755,094		
Private Adjusted ACT =	3,004,075		
Total Rec Adjusted ACL =	6,603,094	1,044,793	

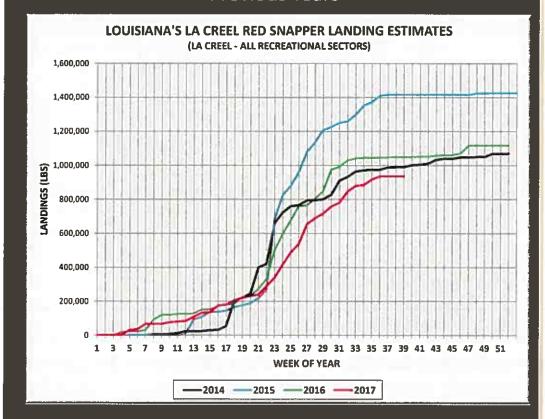


## Louisiana's 2017 Red Snapper Season Estimates

	LOUISIANA'S 2017 R	ED SNAPPER SEA	SON LAN	DINGS		
State Waters Season 1	OPEN	CLOSE	DAYS	AVG WT	# FISH	POUNDS
Private Angler	February 1, 2017	June 15, 2017	93	8	58,264	452,386
Charter	February 1, 2017	June 15, 2017	93	7	7,317	51,717
Federal EEZ Season	OPEN	CLOSE	DAYS	AVG WT	# FISH	POUNDS
Private Angler	June 1, 2017	June 3, 2017	3	8	3,198	25,663
Charter	June 1, 2017	July 19, 2017	49	9	18,618	159,000
Federal EEZ Season 2						
Private Angler	June 16, 2017	September 4, 2017	39	8	29,566	235,019
Charter (Non Fed)	June 16, 2017	September 4, 2017	39	8	1,626	
						%
LOUISIANA STATE WATERS SEASON PROVIDED					% FISH	<b>POUNDS</b>
PRIVATE ANGLER FISHING OPPORTUNITY					64.0	63.4
CHARTER FISHING OPPORTUNITY					26.5	23.2

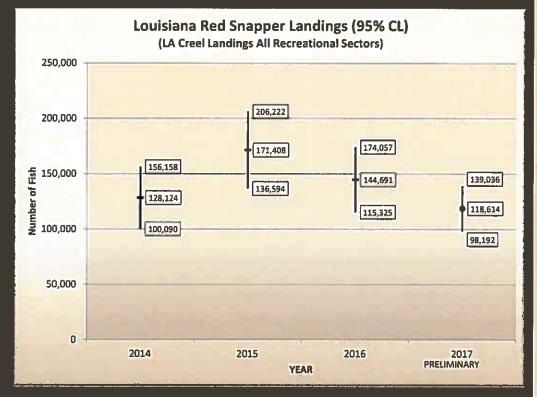


# Louisiana's 2017 Red Snapper Landings compared to Previous Years



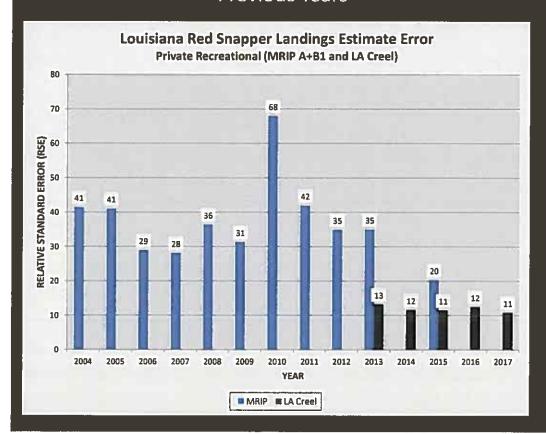


# Louisiana's 2017 Red Snapper Landings compared to Previous Years



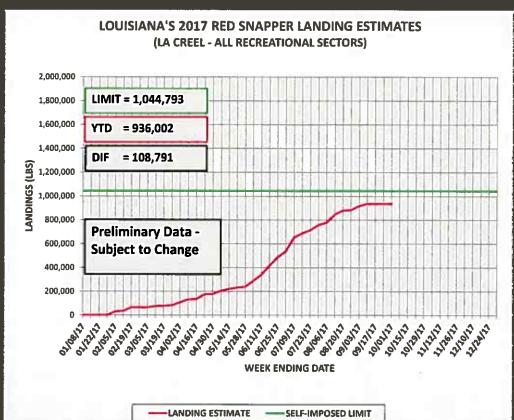


## Louisiana's 2017 Red Snapper Landings compared to Previous Years





## Louisiana's 2017 Red Snapper Landings to Date





## Red Snapper Landing Rates in Pounds from Previous Years

CHARTER							
2017 For-Hire Limit =	2017 For-Hire Limit =		330,290				
	2014	2015	2016				
MAX Weekly EEZ Landing =	23,819	33,752	33,484				
Derived Daily EEZ Landing =	3,403	4,822	4,783				
PR	IVATE ANGLER						
2017 Private Angler Limit =		715,171					
	2014	2015	2016				
MAX Weekly EEZ Landing =	217,564	383,282	136,371				
Derived Daily EEZ Landing =	31,081	54,755	19,482				



## Louisiana Red Snapper Weekly Landings in 2017

	Red Snapper V	Veekly Landing	Estimates (3	9 Day Season			
				Landing (Lbs)			
Week	Begin Date	End Date	Charter	Private	Total		
24	6/12/2017	6/18/2017	18,031	59,061	77,091		
25	6/19/2017	6/25/2017	37,205	33,206	70,411		
26	6/26/2017	7/2/2017	16,479	34,273	50,752		
27	7/3/2017	7/9/2017	8,784	106,742	115,527		
28	7/10/2017	7/16/2017	20,419	15,507	35,925		
29	7/17/2017	7/23/2017	455	27,251	27,706		
30	7/24/2017	7/30/2017	5,700	35,477	41,177		
31	7/31/2017	8/6/2017	3,161	19,219	22,380		
32	8/7/2017	8/13/2017	905	65,947	66,852		
33	8/14/2017	8/20/2017	0	33,250	33,250		
34	8/21/2017	8/27/2017	0	4,620	4,620		
35	8/28/2017	9/3/2017	742	32,019	32,760		
36	9/4/2017	9/10/2017	1,255	17,237	18,492		
				3			
Average We	eekly Landing		8,703	37,216	45,919		



Projections are based upon the harvest rates we have observed and there is some uncertainty around projecting those rates forward.

\*Rates could be higher or lower depending on a variety of factors (weather, availability of other species, socio-economic factors (price of gas, football, holidays), assumption of effort, assumption of avg. fish weight, etc.)



LDWF will continuously monitor harvest rates through the LA Creel program to provide timely landings.

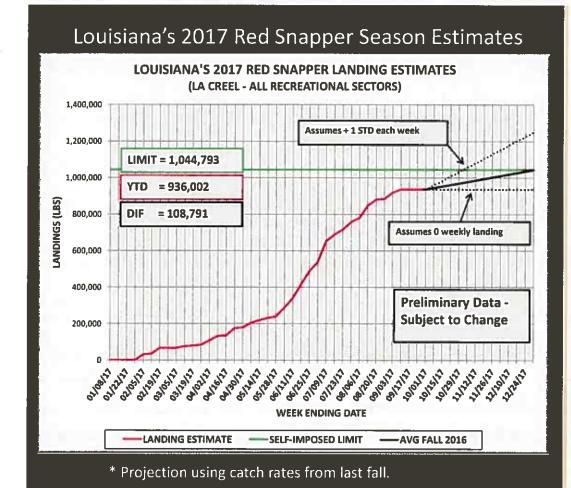
More Specifically the following projection is based upon a weekends only season in the Fall.

Harvest Rates used in the projection are those observed during last Fall's Weekend Only Season.

Projection is presented with a + and - 1 Standard Deviation.

This is only a projection, if we exceed our self imposed limit, it will deduct from next year's limit







## Red Snapper Landings Projections

Week	Begin Date	End Date	Projection (Mean)	+ 1 St. Dev.	Data Type
40	10/2/2017	10/8/2017	944,250	960,171	Projection
41	10/9/2017	10/15/2017	952,498	984,339	Projection
42	10/16/2017	10/22/2017	960,746	1,008,508	Projection
43	10/23/2017	10/29/2017	968,994	1,032,676	Projection
44	10/30/2017	11/5/2017	977,242	1,056,845	Projection
45	11/6/2017	11/12/2017	985,490	1,081,013	Projection
46	11/13/2017	11/19/2017	993,738	1,105,182	Projection
47	11/20/2017	11/26/2017	1,001,986	1,129,350	Projection
47	11/27/2017	12/3/2017	1,010,234	1,153,518	Projection
49	12/4/2017	12/10/2017	1,018,482	1,177,687	Projection
50	12/11/2017	12/17/2017	1,026,730	1,201,855	Projection
51	12/18/2017	12/24/2017	1,034,978	1,226,024	Projection
52	12/25/2017	12/31/2017	1,043,226	1,250,192	Projection

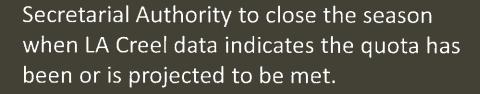


Projection is based upon mean of landings seen during Fall 2016

#### Action Item Before the Commission

Declaration of Emergency that would open the Recreational Red Snapper season in state waters.

Many season options available, some of which are weekends only, 7 days a week, every other week or weekend, or some other fraction of a week.





# Questions?



# Jeff Landry Attorney General

#### State of Louisiana

DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 94005
BATON ROUGE
70804-9005

October 4, 2017

Chad Courville
Chairman
Louisiana Wildlife & Fisheries Commission
309 LaRue France, Ste. 201
Lafayette, LA 70508
via Email

Re: Re-Opening Red Snapper Fishing in State Waters

Dear Chairman Courville:

I write today to urge the Commission to delay action on the further re-opening of red snapper fishing in the state waters of the Gulf of Mexico this year. The Commission's decision to shorten the 2017 red snapper fishing season in Louisiana state waters, expressly in consideration of the NMFS extension of the federal season, and to harmonize the state and federal seasons was both legal sound and prudent. The additional days provided to recreational fisherman pursuant to the federal Weekend Rule was a very successful extension of the season and did not result in the overfishing predicted by the plaintiffs in litigation. To now debate and possibly extend the state season further would be premature. Neither NOAA or NMFS have reported their estimated catch totals. In addition to the absence of this data, some Gulf Coast States have not publicly reported as well, thereby making a determination of whether the season should be extended premature.

Besides being premature, it may also have an adverse impact on litigation that the State recently joined. As you are likely aware, the Ocean Conservancy and Environmental Defense Fund filed suit against the federal government this past July, challenging the so called "Weekend Rule", which extended the Gulf of Mexico recreational red snapper federal fishing season from three days to forty-two days. In this now pending litigation, these non-governmental organizations seek to have a federal court exercise continuing jurisdiction over the state and federal agencies managing the Gulf of Mexico red snapper fishery. The relief sought in this lawsuit would cause direct, imminent injury to the State of Louisiana and her citizens.

I have intervened in the lawsuit on behalf of the State to fight the judicial overreach that would result from plaintiffs succeeding. I am sure the Chairman shares my concerns, as the plaintiffs' success in this lawsuit would effectively strip the Commission of the power to exercise its constitutional duties as it pertains to fishery management. Judicial action prohibiting NMFS from extending the duration of federal fishing will significantly impair Louisiana's interests in its

<sup>&</sup>lt;sup>1</sup> Temporary Rule of the National Marine Fisheries Service ("NMFS"), 82 Fed. Reg. 27777 (June 19, 2017),

430 CANNON HOUSE OFFICE BUILDING WASHINGTON, DC 20515 (202) 225–3901 Fax: (202) 225–7313

garretgraves.house.gov

## Congress of the United States

House of Representatives Washington, VC 20515—1806

October 4, 2017

Mr. Chad J. Courville Chairman Louisiana Wildlife and Fisheries Commission 309 La Rue France, Suite 201 Lafayette, LA 70508

Mr. Courville,

This year's extended federal red snapper season provided relief to private anglers and small business owners in the Gulf. Like you, I am greatly appreciative of U.S. Secretary of Commerce Wilbur Ross's decision and believe it was appropriate.

However, recent reports that the Louisiana Department of Wildlife and Fisheries and Governor John Bel Edwards have recommended opening the fishery for a fall season are concerning. When the deal was made to reopen federal waters, it was determined that the States would trade days out of their state seasons for access to federal waters for a specific period of time (39 days). As is currently the case under federal law, the Gulf States are to be managed under the federal annual catch limit (ACL), and under law, are not allowed to exceed that catch limit.

Thanks to Louisiana's tremendous LA Creel program, it is no surprise to me that the Department was able to make a timely determination that our recreational catch was below our historic average catch, which equates to a self-imposed catch limit of 1.04 million pounds for the 2017 red snapper season. However, it is still unclear, when combined with the other Gulf States, if the recreational sector (private and charter) remained under or at the Gulf-wide federal ACL. Given the lack of clarity regarding the overall Gulf-wide quota, I believe the State should demonstrate conservation-minded management practices and refrain from reopening Louisiana's red snapper season.

As a former resource manager and an avid fisherman, I urge you to resist external pressure to reopen the Gulf red snapper season in our state waters. As the gatekeepers to the Sportsman's Paradise, it is our duty to continue to demonstrate that State agencies are capable of effectively and responsibly managing this fishery. I believe this move will help to build confidence in Louisiana's commitment to working toward more state involvement in the management of Gulf of Mexico fisheries.

Garret Graves

ncerely

Member of Congress